- Iraq: A non-military alternative
- Energy without emirs: The case for natural gas
- Why your doctor *really* decides to operate

The Washington Monthly

OCTOBER 1990/$3.00

Will They Lie About This Plane in the Middle East?

They did in Panama.

y Scott Shuger

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

When their systems aren't integrated,

some businesses

waste time and effort

running from

department

to department

until finally they learn to integrate their systems the Intelligent way.

By analyzing business problems and implementing appropriate end-to-end solutions. All custom-designed and individually lab-tested. And all working within the framework of existing systems and networks. Cost effectively transporting, storing, accessing, combining and exchanging information from different systems. Quickly. Efficiently. Productively.

All via Bell Atlantic and its Intelligent networQ.℠ Pretty smart, huh?

Intelligent networQ℠

Bell Atlantic
We're More Than Just Talk.®

Call 1-800-522-6617 to get our Intelligence on the line.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Washington Monthly

Volume Twenty-Two, Number Nine October 1990

Tilting at Windmills
by Charles Peters
Secrets of the Senate dining room . . . the peaceful way to stick it to Saddam . . . the NFL's latest hustle . . . the president's new toy . . . and other odds and ends 6

The Dos and Don'ts of Public Service

Thrills, Spills, and Bills
by Phil Keisling
Want to try a really exciting profession? Forget Wall Street. Forget "L.A. Law." Run for the state legislature. 10

Washington Gets to Mr. Smith
by Tom Hamburger
Dave Durenberger entered the Senate with a Work and Pray ethic. But then came the swimming pool, the tennis court, the condo, the sweetheart loans, and the free trips. 21

Department of Self Services
by Michael Willrich
Marion Barry's cronies in the Department of Human Services didn't help Washington's downtrodden. They helped themselves. 28

Doctored Results
by Alexander Kippen
How drug companies bribe doctors and medical journals. 38

New Weapons, Old Problems
by Scott Shuger
In Panama, the Air Force's stealth fighter mistakenly bombed a basketball court and a saloon. Will it do any better in Iraq? 43

Energy Without Emirs
by Robert Hefner III
Here are the reasons the government hasn't encouraged the development of natural gas: It's cleaner and cheaper than oil and we have a huge amount of it. 50

ON POLITICAL BOOKS:

Inside Racism
by Matthew Cooper
Shelby Steele argues that for blacks, self-doubt is a bigger enemy than white hatred. 53

Political Booknotes
Reviews by **Ned Martel** and **James Q. Wilson.** 57

LETTERS 2
WHO'S WHO 20
MONTHLY JOURNALISM AWARD 49
POLITICAL PUZZLE 56
TIDBITS AND OUTRAGES 37
MEMO OF THE MONTH 27

Cover photo: Courtesy of *Aviation Week*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LETTERS

Reynolds rap

The Washington Monthly attributed to W. Ann Reynolds, the chancellor of the California State University, the responsibility for having authorized the purchase of six Taurus automobiles for use by CSU vice chancellors ["Tilting at Windmills," July/August]. The article further imputed that this particular procurement had been handled in a fashion that subverted state expenditure controls.

Except for the cost of the cars cited in your article, all of the other comments were errors of fact.

Chancellor Reynolds did not initiate the request to acquire these automobiles, did not direct their procurement, nor did she play any role in the public bidding process that led to their acquisition.

As the person responsible for procurements in the CSU office of the chancellor, I can attest that all state regulations were adhered to in the acquisition, assignment, and use of the automobiles in question.

Your article implied wrongdoing by the chancellor when there was none. In so doing, you unfairly impugned the reputation of one of higher education's most highly respected leaders.

HERBERT L. CARTER
Long Beach, California

Mr. Carter is the executive vice-chancellor of the California State University.

I must let you know from California that there is some justice, maybe.

W. Ann Reynolds resigned as chancellor of the California State University System over those pay raises (they were larger than only 15 to 26 percent, some ranged up to 41 percent). She resigned about 10 minutes before the Board of Trustees was prepared to fire her. Those cars were taken away from those vice-chancellors and sent off to the motor pool. The pay raises also were rolled back to the 4.1 percent received by all of the faculty.

However, Ann found herself a new job as head of the City College of New York, at a pay increase. The newspaper reports indicated that the CCNY Board was not particularly aware of the problems she had in California. Another great example of how public agencies tend to read a resume and believe, instead of doing a little checking on their own.

DONALD E. LAPLANTE
Downey, California

Strapped jocks

It was with much interest that I read Louis Barbash's article on cleaning up college sports ["Clean Up or Pay Up," July/August]. Higher education today is not held in very high esteem because higher education's role has been perverted. As long as having a winning team is the focus of attention at institutions of higher learning, education will not be served.

For those who say, "We receive free publicity from sports and that keeps the school name in the public eye," stop. Think. If a potential student chooses a school because of its football team, basketball team, etc., is that student really interested in education?

HENRY COLEMAN
Williamsburg, Virginia

Although I enjoy your magazine immensely, I must take issue with your recent article on college sports.

Many of the points are well taken. The argument, however, was seriously weakened by failing to include any evidence of those instances in which the present, nonprofessional system does run in a manner becoming to both athletics *and* education. I believe my own alma mater, Penn State, has for decades set an example of true student athletes earning degrees while fielding nationally competitive teams. And we are hardly the only school achieving this supposedly impossible goal. Certainly, there is big money involved, and it goes to support 20-plus nonrevenue sports, which, frankly, could not exist on their own.

Before we throw the present system out, perhaps we should truly try fixing it.

JOSEPH W. KOLETAR
Glen Rock, New Jersey

Your NCAA hypocrisy story was well done, but the solution advanced—formal salaries for college athletes—falls into the category of Never Happen. Here's my alternative: for each year of NCAA major sports participation, the player gets an *extra* year of tuition, room, and board.

Under this formula when the typical athlete exhausts his sports eligibility and finally realizes he isn't going to the pros, instead of being tossed onto the trash heap he could still take four years of college—without the distraction of sports, with the bracing knowledge that the real world awaits him. After their senior years and the pro draft many college jocks wake up and wish they'd studied, but by then it's too late. This way it would not be.

Such a system would reward players without having to raise the contentious issue of direct pay: The focus would be on education, what college is supposedly for, not money. It would create a financial incentive for colleges to start making valid efforts to educate big sports participants, so they wouldn't hang around later running up the bill. And if colleges failed to teach anything to scholarship athletes, they would have to pay a price in terms of semi-literate ex-jocks discomfiting big-deal donors and the fathers of incoming freshmen girls with their physical presence on campus, not conveniently shipped back to anonymity in backwoods Georgia or the Newark streets when their on-field market value expires, as with the current system.

GREGG EASTERBROOK
Washington, D.C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BROOKINGS BOOKS

On international business

Debt, Taxes, and Corporate Restructuring
John B. Shoven and Joel Waldfogel, Editors
Financial and tax specialists analyze how the U.S. tax system–especially its bias toward debt financing–affects corporate financial decisions and investigate its influence on the recent wave of restructuring.
cloth $28.95 ISBN 0-8157-7884-8
paper $10.95 ISBN 0-8157-7883-x

An American Trade Strategy
Options for the 1990s
Robert Z. Lawrence and Charles L. Schultze, Editors
The world trading environment has changed dramatically in the 1980s. America's trade position worsened sharply compared to Japan, Germany, and newly industrializing countries of Asia. Experts seek the best course for the U.S. in this changing situation.
cloth $28.95 ISBN 0-8157-5180-x
paper $10.95 ISBN 0-8157-5179-6

The Free Trade Debate
Report of the Task Force on the Future of American Trade Policy
Background paper by Gary Clyde Hufbauer
Economics and politics of trade policy are hotly debated. This book assesses the costs and benefits of current policy and potential strategies. *A Priority Press Publication of the Twentieth Century Fund.*
cloth $18.95 ISBN 0-87078-308-4
paper $8.95 ISBN 0-87078-309-2

The Road to Economic Recovery
Report of the Task Force on International Debt
Background paper by Rudiger Dornbusch
Experts explain that new initiatives are essential for resolving the international debt crisis and for achieving worldwide economic health. *A Priority Press Publication of the Twentieth Century Fund.*
cloth $18.95 ISBN 0-87078-228-2
paper $9.95 ISBN 0-87078-227-4

On campaign finance

The Money Chase
Congressional Campaign Finance Reform
David B. Magleby and Candice J. Nelson
"Finally there is a book which provides a thorough analysis of the real world of congressional finance, the significant problems with that system, and a careful examination of the alternatives." *Robert C. Byrd, U.S. Senate*
cloth $29.95 ISBN 0-8157-5434-5
paper $10.95 ISBN 0-8157-5433-7

Paying for Elections
The Campaign Finance Thicket
Larry J. Sabato
Recommendations for reforming campaign finance to reduce costs and bolster public participation. *A Priority Press Publication of The Twentieth Century Fund.*
cloth $18.95 ISBN 0-87078-247-9
paper $8.95 ISBN 0-87078-246-0

Broken Promise
Why the Federal Election Commission Failed
Brooks Jackson
Jackson's provocative analysis shows why the commission failed to live up to its mandate prompted by Watergate campaign scandals and offers recommendations for change. *A Priority Press Publication of the Twentieth Century Fund.*
paper $9.95 ISBN 0-87078-318-1

The New Fat Cats
Members of Congress as Political Benefactors
Ross K. Baker
How the membership and leadership PACs operate and their effects on the political process. *A Priority Press Publication of the Twentieth Century Fund.*
cloth $18.95 ISBN 0-87078-301-7
paper $8.95 ISBN 0-87078-300-9

New in Paperback

Making Laws and Making News
Media Strategies in the U.S. House of Representatives
Timothy E. Cook
"should become a bible for all those aspiring to become press secretaries on Capitol Hill...." *Columbia Journalism Review*
paper $11.95 ISBN 0-8157-1557-9

At bookstores and from

Brookings Books

P.O. Box 270,
Washington D.C. 20055
(202) 797-6258
FAX (202) 797-6004

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Power play

Your article ["Power Failure," James Bennet, July/August] is certainly not based on reality research.

I invite you to visit the great state of North Dakota, to see first hand how important and spectacularly successful the REA lending program has been in our state. Some 76,000 consumer members and their families—nearly one-third of our state's population—rely on electric cooperatives for the power that runs and lights their farms, ranches, and small businesses.

A survey we completed two years ago said the average consumer in our state would pay from $150 to $200 more each year in interest costs alone if money for construction suddenly had to be borrowed at market rates. The main reason? High costs.

We have but 1.6 consumers for each mile of line we build; we gross $2,700 in revenue for each mile, compared to $25,000 for our state's investor-owned utilities; and we invest more than $14,000 for each meter we serve while the investor-owned utilities in our state invest but $3,500.

We often say to those who criticize programs our nation's farmers and ranchers depend on that "I trust your cupboard was well-stocked and your home was well-heated as you leveled that criticism." We don't appreciate having a program we need to help keep the price of electricity affordable in rural areas trampled by those who have not lived, worked, nor walked in our shoes.

DENNIS HILL
Mandan, North Dakota

Mr. Hill is executive vice-president of the North Dakota Association of Rural Electric Cooperatives.

The editor replies:

As I wrote in my story, there is simply no evidence that it's more expensive to provide electrical service in rural areas. Let's grant that North Dakotans would have to pay an extra $12.50 or $16.60 per month without the REA. So what? City dwellers have to pay market interest costs. What's the aggregate cost of basic electrical service to an average North Dakotan? Mr. Hill doesn't say. Though Mr. Hill points out that rural companies generate less revenue per mile of line, he neglects to mention that, as I wrote, those companies save money where urban ones can't: for example, they tend to pay less for labor and for central plant equipment. These days, affordable electricity is certainly a right the government must ensure; *cheap* electricity is not. So wouldn't it make more sense to provide government assistance (through a tax credit) directly to those poor North Dakotans (and poor Chicagoans) who can't afford power, rather than shovel that assistance to big companies without regard for need? If our budget negotiators make living, working, and walking in North Dakotans' shoes their chief criterion for deficit reduction, they're unlikely to make much progress. I hope they rely on common sense instead.

Correction

The credit line for "Mending Broken China," by Jay Mathews in the September issue was incorrect. Daniel Southerland, not Jay Mathews, was *The Washington Post*'s Beijing bureau chief in spring, 1989.

The Washington Monthly

Editor in Chief Charles Peters.
Publisher Marian K. Riedy.
Editors James Bennet, Scott Shuger.
Contributing Editors Jonathan Alter, Thomas N. Bethell, Tom Bethell, Taylor Branch, Matthew Cooper, Gregg Easterbrook, James Fallows, Paul Glastris, Mickey Kaus, Phillip Keisling, Michael Kinsley, Nicholas Lemann, Suzannah Lessard, Arthur Levine, Timothy Noah, Joseph Nocera, Leonard Reed, John Rothchild, Jonathan Rowe, Walter Shapiro, Steven Waldman.
Editorial Advisory Board Graham Allison, James David Barber, Edgar Cahn, David Halberstam, Murray Kempton, Richard Reeves, Hugh Sidey.
Assistant to the Editor Carol Trueblood.
Advertising Director Lydia R. Sullivan.
Art Director Suzanne Tacktill.
Production Manager Donne Masaki.
Circulation Director Karen Jennings Crooms.
Graphics Consultant Christine Solomon.
Interns Kierstan Gordon, Margaret Gray, Joshua Ray Levin, Afshin Molavi, Patrick O'Rourke.
Proofer John Kalajian.

Subscription rates: U.S. and possessions: one year, $33; two years, $61; three years, $88. Foreign subscriptions, additional postage: Canada, $3; other, $25 air mail, $5 surface mail. Back issues, $4. Send correspondence concerning subscriptions, undelivered copies, and changes of address to 1611 Connecticut Ave. NW, Washington, DC 20009. For change of address, please provide six weeks' notice and include old address label. New subscriptions only: (800) 926-6980. The Washington Monthly is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, the Social Science Index, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. Reprints of articles are available to individuals or schools at $1 each. For reprint rights for all or part of an article call Marian Riedy at (202) 462-0128. Published monthly except combined July/August and January/February issues by The Washington Monthly Company, 1611 Connecticut Ave. NW, Washington, DC 20009 (202) 462-0128.

© 1990 by The Washington Monthly Co. All rights reserved. Reproduction by any method whatsoever without permission is prohibited.

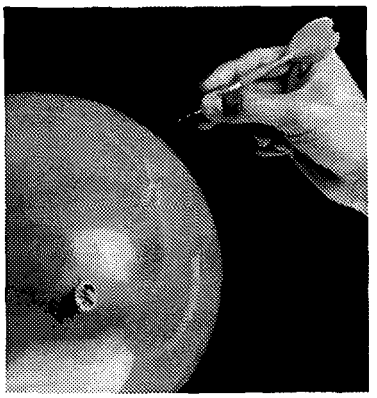
ISSN 0043-0633. Postmaster: Send change of address to The Washington Monthly, 1611 Connecticut Ave. NW, Washington, DC 20009. Second class postage paid at Mechanicsburg, PA. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope.

The most charming setting for outdoor dining in downtown Washington.

Iron Gate Inn
(202) 737-1370
1734 N St., Washington, D.C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Why the most skeptical people in America subscribe to The Nation.



Our editorial philosophy.

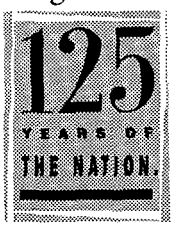
The Nation is older than General Motors and the USSR. We even predate sliced bread.

Yet, despite our advanced age, we have never settled for mere respectability.

Indeed, the longer we're around, the more we pride ourselves on disturbing the status quo.

A paradox?

Not to thousands of our readers still able to declare they are "radical," let alone liberal.



Our history.

They prize the challenge we present forty-seven times a year.

The challenge to their assumptions. Their sense of what the news portends. And the disinformation that too often masquerades as news.

We always do our very best to keep all our readers freshly provoked.

With regular contributions from such iconoclasts as Alexander Cockburn, Katha Pollitt, Christopher Hitchens, Molly Ivins, Gore Vidal, Calvin Trillin, and drawings from the likes of Edward Sorel (well, nobody else is like Mr. Sorel).

Our taste in art.

Why do the most skeptical people in America subscribe to The Nation?

Because they ask the toughest questions and demand the liveliest answers.

Prove it: Subscribe for yourself.

Our offer (for new subscribers only): Save 64% of the single-copy price...and 18% off our basic rate...when you subscribe to 24 issues of The Nation — one-half year — for just $15.

[ ] My payment is enclosed. [ ] Bill me later.

NAME

ADDRESS

CITY STATE ZIP

Please mail to: P.O. Box 10791, Des Moines, IA 50340-0791.

The Nation.

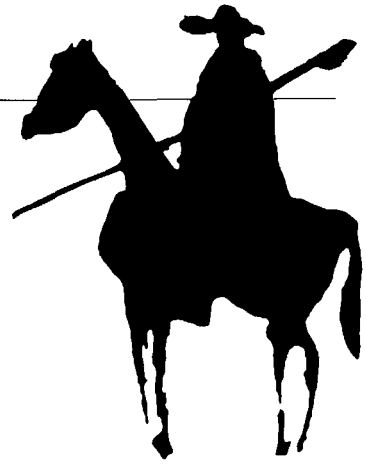
Unconventional wisdom since 1865.

FOJWM

Produced by Public Media Center

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

TILTING AT WINDMILLS



Why do today's outfielders drop so many catchable balls? The main difference between baseball as it is played now and as it was when I was a boy in the thirties is that back then, even in the Class C Middle Atlantic League, fly balls were rarely dropped. Can someone explain this to me? The modern fielding glove seems clearly superior to the thin leather mitt used in the old days. Could the explanation possibly lie in the modern outfielders' disdain for using two hands to catch the ball? If so, perhaps they should study newsreel footage of fabled catches of old, such as the one Willie Mays made on Vic Wertz in the 1954 World Series. Willie was less concerned with looking like a hot-shot by trying to snatch the ball with one hand than he was with actually catching it, which he did with both hands. . . .

Here's the latest on the culture of Hollywood, which continues, alas, to be the nation's leading dream merchant. Producers have found a way to reduce the cost of screenplays by 50 percent. They refuse to pay their writers. If a writer becomes angry, the producer says, "sue me," figuring, according to the *Los Angeles Times*, that the writer will then settle for 50 cents on the dollar rather than blow most of his earnings on legal fees. . . .

If you ever saw that wonderful old movie about the sinking of the *Titanic*, the one with Clifton Webb and Barbara Stanwyck, you will recall the scene in the life boat filled with women and children in which the camera suddenly spies a pair of men's shoes under a skirt. You wanted to hiss at the coward. Back then the woman-and-children-first principle was accepted by almost everyone. It still appears to be the rule today. No one questions it in the case of Iraqi hostages. But I wonder if it makes sense.

Children first still seems fine, but the automatic assumption that women should go first does not seem to reflect the reality of sexual relationships in Western nations and most especially among Americans. Why should women go first? The rule seems to make sense only if they are the primary care-givers for the children. If care-giving is the standard, then single women should fare no better than single men. And among the married, recognition should be given to the cases—and we all know examples in modern marriages—in which the man is the one who does most of the caring for the child. . . .

Walter Pincus, the veteran *Washington Post* reporter whose long experience has not left him unaware of the various hustles employed by those in power to conceal their perks, recently took a look at the cost of the Senate dining room. The loss for 1989 appeared to be a relatively modest $88,538. But then Pincus discovered a key footnote that showed the budget did not include an additional $1.3 million covering other items such as salaries for the restaurant managers, repairs, maintenance, utilities, garbage disposal, and menu printing. So the real loss was $1,388,538, which was concealed in other congressional appropriations. . . .

Another triumph for our Cheap Chic campaign: *Newsweek* used the term in an August story about the newly renovated Paramount Hotel, where tasteful rooms—*Newsweek* calls them "crisp and calming"—are available for $90 to $120 a night, which, if you've stayed in Manhattan recently, you know is a real bargain. An interesting indication of the kind of value change that may be going on is that the owner of the Paramount is Ian Schraeger who was responsible for the renovation of the Royalton Hotel, which was one of the leading examples of expensive chic during the eighties. . . .

We've praised William Seidman, the head of the FDIC, for suggesting that federal deposit insurance be limited to $100,000 per person rather than $100,000 per account. But we wonder how he justifies a brochure put out by the FDIC that carefully explains how a husband, wife, and two children can have insured accounts totaling $1,400,000—in just one bank. . . .

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Many people think it was just dandy for Bush to play with his golf cart and speedboat in cool and pleasant Kennebunkport while our troops were sweating in the miserable Arabian desert in August. I am not one of them.

Just because Carter was a fool to chain himself to the White House because of 50 American hostages doesn't make Bush wise to vacation in Maine as a major world crisis threatens the lives of thousands of Americans and Arabs.

To me, the most maddening aspect of this episode was Bush's contempt for criticism of his use of the the gas-guzzling speedboat while asking the nation to conserve energy. But, a close second, which no one seems to notice, was his repeated use of Air Force One—and speaking of gas guzzlers, the Boeing 707 he was using in August is one of the great champions among the world's aircraft—for repeated trips back to Washington as he tried to split the difference between the advisers who thought he ought to be seriously attending to business at the White House and those who argued that the rest of influential America was on vacation too. . . .

Of course, like Bush, the influential did interrupt their sojourns on the Vineyard or in the Hamptons long enough to get back to Washington from time to time to go on talk shows or to write columns advocating militaristic policies that would further endanger our soldiers and sailors in the Middle East. One reason the influential class is so callous in this regard is that almost none of its sons and daughters are in the service. The situation is so bad that I was surprised that even one parent had access to the editorial page of *The New York Times*. (See Alex Molnar, "If My Marine Son is Killed . . . ," *The New York Times*, August 23). Other than that parent, few voices were raised during August objecting to the administration's rush to embrace the military options in the Middle East, the most dangerous of which was the introduction of ground forces that could easily mire us in a war that would be costly in terms of human life.

Of the military options, I agree the naval blockade was the best choice. We have learned from the blockade during the Cuban missile crisis and the mining of Haiphong harbor, which brought the North Vietnamese to the peace table, that a military deployment that gives the other side the choice of avoiding or causing bloodshed—by either complying with the blockade or having its ships blown out of the water—is likely to produce a reasonable response among our adversaries that does not involve loss of life. If the administration saw a real danger of an Iraqi invasion of Saudi Arabia, it could have threatened a retaliatory air attack of such severity that Saddam Hussein would know he would be the net loser.

One has to worry about how little influential Americans seemed concerned about this matter of loss of lives. In early September, as this is being written, powerful figures such as Richard Lugar, the senior Republican on the Foreign Services Committee, and Les Aspin, the Democratic chairman of the House Armed Services Committee, are saying that getting rid of Saddam Hussein is worth 20,000-30,000 American casualties. . . .

I marvel that so many of our leaders leap to embrace bloodthirsty ideas such as these while not even considering

New Ways and Means

Reform and Change in a Congressional Committee

by Randall Strahan

"Essential reading for observers and scholars of Congress and those who follow taxation, social welfare legislation, and budget-making."

—John F. Witte

238 pp., $29.95

Human Rights Treaties and the Senate

A History of Opposition

by Natalie Hevener Kaufman

Explains why the Senate remains reluctant to consider, let alone ratify, human rights treaties.

approx. 260 pp., $32.50

Insuring National Health Care

The Canadian Experience

by Malcolm G. Taylor

A brief history, geared to an American audience, of how the Canadian system of national health insurance evolved.

approx. 240 pp.,

$29.95 cloth, $12.95 paper

available at bookstores or from

The University of North Carolina Press

Post Office Box 2288

Chapel Hill, NC 27515-2288

Toll-free orders:

1-800-848-6224

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

gasoline rationing, which would involve a modest sacrifice for the American people but not kill anyone and still deprive Saddam Hussein of the higher oil prices he sought through his conquest.

Those who doubt the efficacy of gasoline rationing should know that during World War II it cut demand in *half* even though the economy was booming. The resulting inconvenience was mild. We couldn't take pleasure trips by car. I had to walk a mile to school instead of driving or being driven. And we had to double date, but that probably had a salutary impact on adolescent behavior as passions were restrained by the presence of witnesses.

Since we are by far the world's leading consumer of oil, a 50 percent cut in our demand would dramatically reduce the world price of oil, and Saddam Hussein would gain nothing from his aggression.

I realize this solution is not likely to have immediate appeal for my liberal environmentalist friends. Low cost oil would not encourage the development and use of low or nonpolluting fuels. But, once we've gotten the situation in Iraq under control, we can adopt a carbon tax that would accomplish the environmentalists' aim that I, by the way, fully share.

And, whether you object to my proposal for environmental or other reasons, please don't just say I'm wrong. Come up with a solution of your own that will honor, by doing our fair share, the remarkable international unity against Iraq's aggression without denying the lessons of history by continuing to risk the slaughter of poor and unpriviledged Americans in another land war in Asia. . . .

George Bush did get rid of his gas-guzzling 707 last month. But he replaced it with a 747 that would make Nero blush. The new Air Force One has 85 telephones, 11 VCRs, seven bathrooms, and a presidential suite that includes a bedroom, dressing room, shower, private office, and conference room. . . .

The hope that has been stirred in my soul by the early success of our Cheap Chic campaign came close to being dashed when I happened to spot a story in the *Los Angeles Times* headlined "Big-Ticket Beauty Items for Children." It seems that companies like Estee Lauder and Givenchy are putting out luxury items for children. Givenchy, for example, is offering a fragrance for kiddies called Tartine et Chocolat, priced at a mere $30 for 3.3 ounces. . . .

There is a tendency among state officials to imitate their counterparts in Washington. Thus many governors have helicopters at their disposal and security men to clear the way. They also share the presidential proclivity for jetting off to foreign capitals. The champion traveler last year, according to *City and State* magazine, was Governor James R. Thompson of Illinois, whose trips cost $320,000. Tied for second, at $200,000 each, were Governors Mabus of Mississippi and Schaefer of Maryland.

But in the past two years, Schaefer has been the standout, having managed, according to the Associated Press, to spend $600,000. The justification of these junkets is that the governors negotiate with foreign businessmen who might locate plants within their states. Why then do the trips entail such expenses as, in Schaefer's case, $2,500 for opera tickets? . . .

Back to sports for a moment. I'm indignant at what the National Football League is doing to shorten games. Instead of reducing the number of television time outs, which is of course the main culprit, the league has adopted a policy that reduces the number of plays per game. The plays are the runs and passes you want to see. They're fun and exciting. The TV time outs are boring.

By the way, the new NFL commissioner, Paul Tagliabue, seems to be a real disaster. Not only is he responsible for the cutting-the-plays-instead-of-the-commercials policy, he has come close to lying in response to the revelations a local television reporter named Roberta Baskin has made about the NFL's inept drug policies. . . .

Cynical good guys? You be the judge. In late July, when it appeared that Congress might finally put a stop to the scandal of subsidies for rich farmers, guess who came to the rescue of the wealthy? The National Wildlife Federation and the National Audubon Society, both of which submitted letters to the House Agriculture Committee contending that it would be bad for the environment if the affluent farmers weren't subsidized. Why did the environmentalists take such a dubious position? The explanation came in early August when they were paid off by the Agriculture Committee with legislation that provided penalties for draining and planting wetlands and payments to farmers to take wetlands out of production. These environmental reforms were doubtless desirable, but do they justify missing a chance to end the biggest outrage of the agriculture subsidy program? . . .

A glimpse into the realities of the legislative process was recently provided by a woman who managed the office of a California state senator. She testified that the senator asked her

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to keep track of legislation affecting groups that "weren't appreciative," meaning that they didn't give him contributions, so that he could "get the attention" of the groups by, say, introducing legislation that was in conflict with their objectives and by asking their witnesses embarrassing questions during hearings.

According to the office manager, the senator labeled pending legislation as either "money bills," offering the potential of contributions from their sponsors or opponents, or "freebies," in which he was not interested. . . .

I want to applaud Roger Rosenblatt for calling Pat Moynihan and interviewing him. Why on earth would a single interview be worth praise? It's because it was done as part of Rosenblatt's preparation for writing a review of Moynihan's new book for *The New York Times*. Ninety-nine percent of book reviewers would not dream of doing this. Yet there is no reason why interviewing could not be used to resolve doubts in a reviewer's mind and make his review a better work. The scandal of book reviewing is that not only do 99 percent of reviewers not do such interviews, 90 percent do no original research at all. They simply read and write about the book and think that that's enough. The fault is their sloth and the publishers' penury. Affluent publications should pay more for reviews. Conscientious reviewers should work harder. . . .

In the wake of the Marion Barry verdict, a lot of intelligent people seemed to be in despair about the jury system. I do not share their feelings. On the whole, the jury system works. But like democratic government it can fail when the people themselves are wrong on an issue related to the trial. This is why blacks had difficulty getting justice in cases in which their word had to be taken against whites in the Old South. Today many blacks are wrong in believing, as we discussed in our last issue, that there is a white conspiracy to use the justice system against black public officials. Valerie Jackson-Warren, one of the Barry jurors, told *The Washington Post* that she believed the government was "out to get Marion Barry."

"I believe that with all my heart," she added.

She believed it so much that she argued in the jury room that a piece of crack used in evidence by the government was not actually crack, even though the point had not been made by the defense and therefore, as uncontested evidence, was not supposed to be doubted by the jury.

People as prejudiced as this are not going to be persuaded by their fellow jurors. That's why I suspected from the beginning that the Barry trial would result in a hung jury. The only surprise to me was that the jury was able to agree on one guilty and one innocent verdict.

But all this doesn't mean the jury system is bad. When I was practicing law, the jury reached the right verdict in every case in which I was involved. The only sizable groups of cases in which juries come to erroneous conclusions are when the community itself is wrong or when the opposing counsel are widely different in ability. The latter often happens when a rich person or corporation is on one side and a poor individual is on the other, or, as in the Barry case, when government lawyers of average ability are opposed by especially clever and experienced defense counsel such as R. Kenneth Mundy.

In both civil and criminal cases, this danger could be guarded against by a judge who intervenes to ask the questions and make the points that less able lawyers fail to see are crucial. Under the British system, the judge could have pointed out that when Mundy admitted in the closing argument that Barry had smoked crack on several occasions, he was in effect—as Mundy himself acknowledged to reporters outside the courtroom—conceding the conspiracy charge against the mayor. . . .

I know you're wondering about the continuing education plans of those lawyers and doctors from Franklin County, Ohio. This winter they plan to pursue their studies at the Inter-Discipline Ski Conference at the Delta Mountain Inn in Whistler, British Columbia. Just to be sure you keep your nose in the books, the Inn offers a health club, a steam and exercise room, an outdoor heated pool and saunas, indoor tennis, a high speed gondola, and "an unforgettable panoramic view of the area which has the highest vertical rise of any in North America." . . .

I had always hoped that age would make me calmer and more relaxed. Instead, I find I'm becoming twitchier with each passing year. The problem is that the older you get, the more things you've seen go wrong. The more aware you are of the possible disaster inherent in any course you choose to take—other than staying in bed—the more apprehensive you become. Perhaps those of you who are planning to write me about those dropped fly balls could include a few words of counsel on this matter as well. . . .

—*Charles Peters*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Phil Keisling is the only member of The Washington Monthly *family currently serving in elective politics. Because he has managed to win and hold public office without sacrificing any of the zeal for justice and fairness he had when he was a* Monthly *editor, he really is a living example of something altogether too rare outside of Frank Capra movies—a real-life Mr. Smith. We are very proud of him.*

Thrills, Spills, and Bills

Want to try a really exciting profession? Forget Wall Street. Forget "L.A. Law." Run for the state legislature.

by Phil Keisling

Okay, so House Bill 2215 wasn't exactly the "Big One" on the political Richter scale.

This piece of legislation, which came before the Oregon House of Representatives on July 1, 1989, had nothing to do with S&L scandals, gun control, abortion rights, flag burning, or funding for obscene art. This was apple pie and Chevrolet stuff: a proposal to expand a CCC-like summer job program for students and to create a new "Oregon Community Service Corps" to enlist students to build trails, help seniors, teach reading, and clean up parks in exchange for low wages and tuition vouchers. Funding for these programs would come from raising the annual permit fee on video games (and other amusement devices) from $50 to $100. Kids' quarters to help kids work and acquire basic skills; it all seemed logical enough.

I was keenly interested in HB 2215 because, as a freshman member of the Oregon House, I'd made the Oregon Community Service Corps my top priority. But also keenly interested were the state's amusement game operators, who had hired a lobbyist to represent them, a former Republican state legislator who was well-connected and persistent.

Since legislators tend not to get much mail from parents who lie awake at night fretting about the plight of the video game industry, the operators understandably framed the issue as "anti-small business." Raise this tax by $50, they told legislators, and many struggling entrepreneurs would go out of business. The industry was already on the ropes; games like "Nintendo" were cutting into already thin profit margins. Double the tax, and up to half of all existing machines might disappear—thus producing no additional revenue.

So, for the previous few weeks, I'd spent a lot of time "counting votes." Since there are 60 members of the Oregon House, 31 affirmative votes are needed to pass a bill. As I tracked down my colleagues, one by one, I often found the video game lobbyist close by, giving his pitch to another member. And as I asked members for their support, I quickly learned that in addition to "yes" and "no," there are a number of subtle variations that are ignored at one's peril.

For example, shortly before the final vote, only about 28 members were unequivocal "ayes." One said, "I'm undecided, but probably leaning to yes"—two qualifiers ("probably" and "leaning") that made me all the more cautious. Several members assured me they'd "be there if they were needed"; that is, they'd be "the 31st vote." But would they be 29th or 30th if there were two or three other legislators of the same bent? I was careful to find that out, too. I'd watched important bills go down to defeat because three members had promised to be number 31—but no one had promised to be number 29 or number 30.

Just before HB 2215 reached the floor, on the next to last day of the session, my counts showed from 29

Phil Keisling is a state representative in the Oregon House and a contributing editor of The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to 32 aye votes. Apparently sensing his precarious position, the video game lobbyist asked to see me. Send the bill back to committee, he urged, and he'd support an amendment to drop the increased tax and add a $50 assessment on pool tables. He'd just learned that pool tables, through some legislative oversight in decades past, had never been taxed, and his operators assured him that this approach would raise almost as much money.

Behind my poker face was a similar anxiety. I wasn't sure I had the votes, either. But how did we know there were enough pool tables to generate sufficient revenue? And what would the pool table owners, if they were here, say about the effect such a fee would have on *their* livelihoods? (Come to think of it, why *hadn't* they been taxed before?) If this new approach didn't work, would it be too late for action until the next session?

As the action on the floor hurtled towards HB 2215's place on the calendar, a decision had to be made. I fretted; I paced the floor nervously; I listened to colleagues drone on about things of no interest to me (but, doubtless, of urgency to them). It wasn't just the 11th hour, I realized; it was two minutes to midnight. The answer was no. No deal. We'd roll the dice, even if we lost everything.

When I finally rose to speak on the bill, my voice was trembling as much from fatigue as nervousness. I explained how the industry was invoking the haunting specter of blackened video game parlors across Oregon's landscape, forever silenced by the devastating effects of this bill. Yet what were the proprietors telling each other, in their own trade publications? One of my legislative assistants had shown some enterprise and visited some video game operators, one of whom gave her a copy of *Playmeter Magazine* (no kidding). The issue featured a cover story called "The State of the Industry: Looking Good!" The result of a nationwide survey of video game operators, the article detailed the healthy growth of the industry—Nintendo notwithstanding—and the new products that were behind the surge.

When the debate ended, the votes flashed on the electronic voting board. Not everyone had weighed in; as with many close votes, a number of members had waited until their names were called, craning their necks to read the results before committing themselves. Additional ayes and nays were offered as the clerk read off their names, and when all had recorded themselves, it was as close as we'd feared —30-30.

A hush descended on the floor and the galleries. The speaker held the gavel, poised in mid-air. One lousy vote, I thought. And then, with an impeccable sense of timing, the majority leader whirled around to face a member who'd been listed as a possible aye but whose name was currently registered as a nay. "We need you," he said, whereupon the member promptly switched his vote. Before anyone else could do the opposite, the gavel dropped, and the bill passed.

Six months of hard, often tedious work, and all for this. It's hard to describe how happy I was at that moment.

Part-time job hunt

It's been two years now since I quit my $35,000-a-year job as an assistant to the speaker of the Oregon House—that's good pay in Portland, where a decent three-bedroom house can still be bought for $60,000—and started walking the streets of my hometown, looking for work. Unemployed and living off savings, for six months I asked almost everyone I met for help. After knocking on almost 12,000 doors, I finally landed the job I sought. The hours are long, I earn $965 a month (plus expenses), and I'm sometimes subjected to abuse and invective by both colleagues and clients.

All in all, it's the best job I've ever had.

Sixty of us in the House each represent approximately 40,000 people. My legislative district—House District 12—covers much of inner southeast and southwest Portland. One of my neighborhoods is home to many of Portland's top lawyers, doctors, and business executives. So wealthy is it that it has its own separate school district, for students through the eighth grade. But just four miles away, on the other side of the Willamette River, are neighborhoods with unpaved streets and broken-down septic systems, whose residents are besieged by chronic crime and manufacturers of illegal drugs. Some of my constituents live in homes with four-car garages; one lives in a converted railroad caboose, complete with window planters and an official street address.

Unlike Congress and a handful of full-time legislatures in such large states as New York and California, ours is part-time. For six months in every odd-numbered year, the Oregon Legislature convenes in Salem, a town of fewer than 100,000 located 50 miles south of Portland. About half the members (including me) are within commuting distance. The rest move to Salem for the session, sometimes employing their spouses to assist with office duties.

There are still the favorite after-hours watering holes haunted by lobbyists and legislators, and the late-night poker games, where the information exchanged can be more valuable than the pots. But compared to a generation ago, we state legislators are a much less colorful bunch; our speaker of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

House, for example, was almost religious in her devotion to catching the 5 p.m. commuter bus so she could get home to walk her golden retriever.

As a part-time body, the legislature is peopled mostly by men and women who hold other jobs. Our membership includes teachers, real estate salesmen, small-business owners, farmers, and several ex-journalists. Lawyers are common, too, but contrary to popular belief, they are a distinct minority. Of 90 members, fewer than 12 are attorneys.

Oregon Law

On many people's status ladders, the nation's 15,000 state legislators rank somewhere between funeral parlor directors and building inspectors—we're necessary but not very interesting people. Our ilk seldom graces the pages of *People* magazine or *Time* and *Newsweek*. When a state legislator does make the news, chances are high it's for reasons more frivolous than weighty. For example, a New Jersey state legislator is currently exploring new territory in consumer protection by proposing to make undisclosed, prerecorded music at "live" rock concerts illegal.

Nor do I expect the capitol hallways of such teeming civic centers as Salem, Albany, Springfield, Harrisburg, Jefferson City, or Lansing to soon become the setting for a hot new television series along the lines of "L.A. Law," "St. Elsewhere," or "thirtysomething." I can live with the fact that something titled, say, "Salem Blues" will never offer viewers the legislative equivalent of young lawyers, doctors, and advertising executives on the make.

What *is* troubling, however, is the widespread assumption that these other vocations are somehow far more interesting—and personally gratifying—than toiling in the "political backwaters" that I and other state legislators inhabit.

As most young associates will readily admit, "L.A. Law" is about as accurate in portraying the reality of legal work as Beetle Bailey is in portraying life in today's Army. Far more common than the chance to give a stirring closing argument before raptly attentive jurors are the countless late nights and weekends consumed by law library research into obscure contractual disputes and writing nitpicking memos that weren't needed in the first place. Similarly, there's not much gripping drama in performing routine cataract surgery for Medicare patients or coming up with a new slogan to sell laundry detergent. The pay and the perks may be pretty good, but it's not exactly work that nourishes the soul.

While all vocations have their share of tedium and aggravation, few jobs offer intelligent, committed people the chance to make decisions that can benefit thousands, even millions. Some of today's most controversial issues—abortion rights, gun control, nuclear power, environmental regulation, homelessness, and education reform, to name just a few—regularly come before state legislators. So do other, less sexy issues—annexation, collective bargaining, yard debris recycling—that are arguably a good deal more important than much of the fare Congress regularly deals with.

Perhaps most important, you don't need a media adviser, television commercials, unlimited PAC contributions, and a string of previous offices to stand a reasonable chance of winning a seat in most state legislatures. I didn't have any of these things; the most important ingredient in my race was a sturdy pair of shoes.

Satan's coffee

It was in February 1988 that a legislative seat unexpectedly opened in the district where I lived. When I entered the race, most of the local experts gave me little chance of winning. The earliest poll in my three-person, Democratic primary showed me 35 percent behind my main opponent, the wife of a retiring state senator. Her name recognition was widespread. I wasn't surprised when her husband's old lawn signs reappeared throughout the district, the word "Senator" simply painted over with "Representative."

The campaign that followed produced many emotions and sensations. There was physical and mental fatigue from spending four, sometimes eight hours a day, knocking on door after door. I would knock on 12,000 by the time I finished, and at each I would give roughly the same pitch. "The speech" lasted about 90 seconds—a length, I had discovered, just short of where the natural courtesy of most voters would give way to impatient foot-tapping. It gave me enough time to introduce myself and express my outrage at rampant crime, high property taxes, and inadequate health insurance.

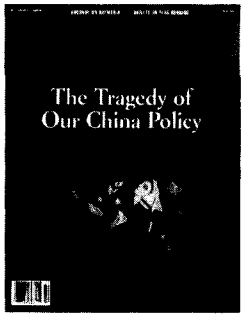
Again, contrary to a common stereotype, all but a handful of the people I met were courteous. (This is not true of some of the dogs I encountered.) Very few asked pointed questions about issues; far more common than people putting me on the spot were people who had a lot on their minds and were more than happy to spend the next half hour sharing their thoughts on all kinds of issues, many of them totally unrelated to legislative work. Through trial and error, and a few hurt feelings, I learned polite ways to move on.

There were moments of utter strangeness. Once, an elderly man held me captive for several minutes,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Government agents befriended traders, visited their homes, and shared their meals. They attended their parties, played with their children, and won their trust. They deluded the defendants and then ensnared them in order to prosecute them for the moral equivalent of jaywalking."
—TRADER X, "SNARING THE CHICAGO 46"

"Every five years in Peru we have elections. We elect a dictator every five years. You've confused it with democracy, and so have we."
—HERNANDO DE SOTO, "WHAT'S WRONG WITH LATIN AMERICAN ECONOMIES"

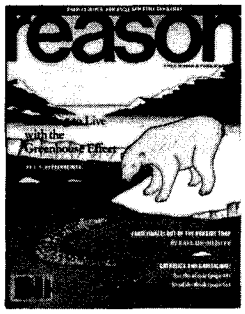


WITHIN

...clear voices, clear thinking

REASON

"There's something now in every issue that we want to read. The magazine's off to a lovely rebirth."
—THE 1990 MEDIA GUIDE



"For all the right-wing grousing about Washington and the majesty of the government 'closest to the people' (yeah, like right inside their wallets), state and local governments in America are notoriously shady enterprises, demonstrating the twin evils of local monopoly and a cozy-with-the-powers press."
—THOMAS W. HAZLETT, "LOCAL HEROES"

"When the law determines vice and virtue, everyone competes to determine the law. We end up with a struggle between those who can't tolerate the idea that anyone anywhere is having fun and those who can't tolerate the idea that anyone anywhere disapproves of their fun."
—VIRGINIA I. POSTREL, "SIN AND DECADENCE"

"Dr. Ehrlich was an entomologist by training, and some immediately recognized that after many years of rigorous study, he had lost the capacity to distinguish between an army of hideous little arthropods swarming over his desk in a Stanford laboratory and an upwardly mobile population of Homo sapiens building tract houses in Palo Alto."
—ANDREW FERGUSON, "APOCALYPSE WHENEVER"

reason

☐ **Yes!** Begin my *Reason* subscription right away!
I've enclosed $15.95 for 11 issues.
☐ Bill me later.
(Outside the U.S. send $23 for surface delivery, $40 for Airmail delivery for 11 issues of *Reason*—U.S. funds drawn on a U.S. bank *only*, please.)

NAME_____

ADDRESS_____

CITY/STATE/ZIP _____

P.O. BOX 526, MT. MORRIS, IL 61054

TWM01A

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

berating me about the dark conspiracy contained in the Seventeenth Amendment to the U.S. Constitution, which, as he (correctly) informed me, provided for the popular election of U.S. senators. He seemed pleased when I assured him he'd been the first person I'd met with this particular concern, and that I'd certainly look into it. "By the way," I asked, trying to change the subject, "what line of work had you been in before you retired?" He swelled up with pride. "Used to drive cars for Joey Chitwood in a stunt show," he answered. "We'd run these cars up the ramp, fly in the air, and crash down on the other side!" Walking away, it occurred to me that perhaps more had been shaken loose than a few bolts in the cars.

After knocking on almost 12,000 doors, I finally landed the job I sought. The hours are long, I earn $965 a month, and I'm sometimes subjected to abuse and invective by both colleagues and clients. All in all, it's the best job I've ever had.

There were moments when I was stunned by my own tactlessness. My endorsement interview with local officials of the Teamsters was going quite well when one member asked me to elaborate on an earlier comment about being a Democrat in a largely Republican family. "Growing up, I was a great admirer of Robert Kennedy!" I explained—realizing too late that Kennedy had devoted several years to throwing corrupt Teamsters officials in jail. Several had actually been from Portland. Needless to say, I didn't get the union's endorsement.

There were moments of comic despair, when it seemed that the world's monumental lack of interest in my venture would doom it. Almost 2,000 invitations went out to one neighborhood coffee, and my ever-optimistic hosts had set up more than 200 chairs. The audience eventually consisted of two young mothers and their unruly children, an older woman with a hearing problem, and the night janitor, who wasn't registered to vote. My spirits lifted slightly when a tall rangy gentleman arrived 45 minutes late, sat down, and appeared to listen intently. A few minutes later he raised his hand to ask a question. "This isn't the Alcoholics Anonymous meeting, is it?"

Still, I and my campaign staff tried to put events like "The Coffee from Hell" into perspective. Just as frequent were moments of quiet satisfaction: when I started climbing in the polls, when good friends (and new acquaintances) shocked me with their generosity in response to fundraising appeals, when people pledged their vote on their doorstep, and most especially, when I scored an upset victory in the Democratic primary. After winning the general election in November 1988, I started my freshman term.

During my six months in Salem, I cast more than 1,500 votes on various bills, amendments, and procedural motions. I sat through nearly 1,000 hours of committee testimony, much of it repetitive and unenlightening. In between committee meetings and floor sessions, I probably had hundreds of conversations of less than 90 seconds' duration; one quickly learns that, like voters, harried legislators don't have much time for idle chit-chat.

I personally introduced about 20 bills, and when nine of them passed in various forms, I considered myself quite lucky. Out of more than 3,000 bills introduced, half never get a hearing, and only about one-third ever become law.

Most of the successful bills I sponsored received little opposition, once I worked out the details. In addition to the Oregon Community Service Corps, they included:

➤A bill prohibiting the disposal of lead-acid car and truck batteries in landfills and incinerators. Each year, an estimated three million pounds of lead are so disposed, at considerable risk to the state's air and groundwater.

➤A bill creating a "true" life sentence—with no possibility of parole or early release—for those convicted of aggravated murder whom juries do not sentence to death. Under previous Oregon law "life imprisonment" could mean parole after 20 years.

➤A bill requiring the Corrections Department to plan programs so that every prisoner is enrolled in basic literacy, drug/alcohol treatment, or work programs. Most inmates in Oregon's overcrowded prisons spend their days with little constructive to do; many simply watch daytime television.

➤A bill that redirects Oregon's income tax credit for child-care expenses so that the largest benefits go to the neediest families. Previous Oregon law gave families who earned more than $250,000 a year larger tax breaks than mothers earning less than $10,000.

➤A bill establishing a program to forgive up to $30,000 in loans to doctors who honor a commitment to practice for at least three years in underserved rural areas.

Policymaking is only part of the job; the other half of legislative service is constituent work. Contrary to the popular conception of cranky constituents who

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Have you heard?

In these uncertain times there's *IN THESE TIMES*.

Whether it's environmental politics or the political environment, *IN THESE TIMES* is the very best alternative in American journalism. We've built our reputation on addressing the issues the mainstream media ignores, and that's why our unique point-of-view has been trusted by thousands of readers for over a decade. Why not see for yourself?

IN THESE TIMES

Give us a try.

We'll give you the view from the other side.

IN THESE TIMES, 1912 Debs Ave., Mt. Morris, IL 61054.
Or call 1-800-435-0715.

TXAZ01

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

call at inappropriate hours to complain about their neighbor's barking dog, almost all of the calls I received were from people with a legitimate question, or those having some exasperating problem with an agency of state government.

And to be sure, not much of legislators' work consists of fierce debate, down-to-the-wire maneuvering, or heart-stopping votes. Of the more than 1,100 bills that reached the House floor in the 1989 session, more than 90 percent had five or fewer dissenting votes. Once brought to the floor, only 14 failed to pass.

It's a general rule that if a bill doesn't have the votes to pass, you don't want to hang its supporters out to dry, forcing them to make an unpopular vote in a losing cause that can be used against them at election time. The great majority of legislators are inclined to help other legislators, no matter how much at odds they may be on "litmus" test issues like abortion, gun control, or gay rights. These divisive issues seldom come to a vote, and by helping a colleague on a bill one racks up valuable credits.

A legislator's natural inclination to avoid controversy is heightened by the increasing role of money in election campaigns. In Oregon—which in this regard is fairly typical of most states—each campaign cycle seems to cost about 50 percent more than the last one. Relying primarily on individual contributions, my crucial primary race cost about $35,000. Some key races cost three times that. As the role of money—and political action committees—increases, this powerful tug will only intensify, bending the process towards making compromises even before a bill reaches the floor.

At its best, the tendency towards "consensus building," getting the warring factions to agree on a product, can produce legislation of national significance. One such product was Oregon's "Toxic Use Reduction" bill, which aims to reduce the industrial use of toxic chemicals in order to protect workers and minimize hazardous wastes. I was assigned the duty of working out a compromise between sponsors of the bill—the Oregon State Public Interest Research Group (OSPIRG), a Nader-inspired organization, and business lobbyists opposed to the original proposal.

Both sides had good reasons to want a bill. OSPIRG was trying to establish a reputation as a credible legislative force; business lobbyists wanted to avoid having to fight a more onerous bill in an initiative campaign. Besides, business had an enlightened self-interest in toxic-use reduction, for reasons such as hazardous waste disposal costs, liability risks, and the desire for better public relations on an issue of such high public concern and visibility.

It took two months of long, sometimes tumultuous meetings to hammer out a bill that required large companies to systematically plan—and set goals for—the reduction of toxic chemicals. Oregon was the first state to enact such legislation, and the bill was recently featured in an article in *The New York Times*. Since the bill's enactment, five other states have taken the same approach to this problem. Of course, this wasn't just "my" bill, since I was only one of many players. Even so, it's extremely gratifying to know that other people have scrutinized your handiwork and found it pleasing. Imitation, in this case, really did feel like flattery.

Burned by tobacco

But sometimes opposing factions can't find common ground, and "consenso-mania" becomes a waste of time because a key group really isn't interested in a bill at all. I learned this lesson the hard way, on a bill that brought me into direct contact with the powerful tobacco lobby. The experience produced my deepest moments of despair about what I was doing.

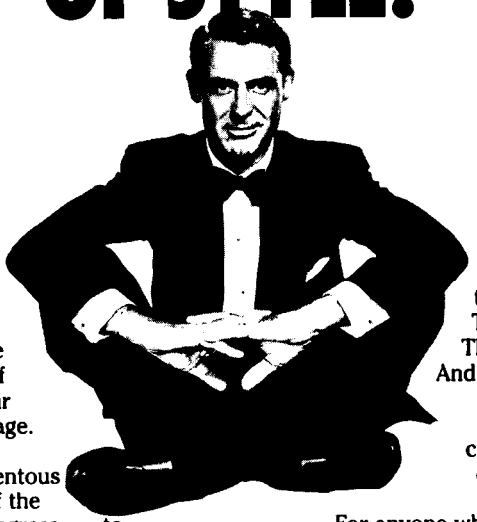
Flushed with my success on "toxic use," I had volunteered to broker another compromise on a bill that addressed the problem of poor indoor air quality. The original bill included new standards on indoor pollutants, including cigarette smoke; new restrictions on cigarette smoking in private and public buildings; and a $15 million increase in cigarette taxes. Needless to say, tobacco lobbyists strongly opposed this bill, just as they had opposed a ballot measure the previous fall that would have placed even stronger restrictions on smoking. The ballot measure had failed after the tobacco industry spent more than $3 million to defeat it.

Consensus was reached largely by dropping the controversial portions of the bill. In a series of meetings squeezed between my regular committee work, the proposed tax quickly fell by the wayside. So did the prohibitions on smoking in most public places and office workplaces. At one point I thought I had an agreement on restrictions that applied only to certain new buildings constructed after a certain date. Tobacco representatives tentatively agreed, but reneged the next day after they'd talked to their "superiors back East."

You can't bargain effectively if you don't have much leverage, and the truth was, the bill's sponsors didn't have much. The tobacco industry, by contrast, had plenty. They'd contributed generously to many campaigns. During the session, Phillip Morris Co. had hosted many legislators—and staff members—at a Portland performance of the Joffrey ballet. And there wasn't just one lobbyist working the bill; there were three, all of whom also represented clients besides the tobacco industry.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SOME THINGS NEVER GO OUT OF STYLE.

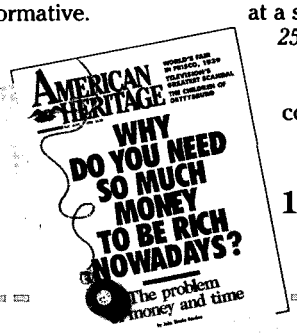


Cary Grant. The American flag. A Tiffany diamond. These are just a few of the riches of our American heritage.

From the momentous deliberations of the Continental Congress . . . to the creative genius of Henry Ford . . . to the masterful strokes of Georgia O'Keeffe . . .

No one brings you more of America than AMERICAN HERITAGE.

It's elegant. Lively. Informative. Thought-provoking. It's sometimes irreverent—and always entertaining. Leaf through any issue of AMERICAN HERITAGE and the past unfolds in glorious detail.



Here are the people. The places. The politics. And the events that have made the character of our nation.

For anyone who has ever been curious about who we are and how we got where we are today—AMERICAN HERITAGE is simply indispensable.

If you act promptly, you may now receive AMERICAN HERITAGE at a substantial discount—*25% off* the cover price. Simply complete and return the courtesy coupon below to order.

FOR FASTER SERVICE, CALL TOLL-FREE

1-800-341-1522

(In Maine, call collect, 255-4891)

YES!

Begin my subscription to AMERICAN HERITAGE at a special 25% savings off the cover price.

(Please check appropriate boxes.)

- ☐ 6 issues (9 months) just $19.95
- ☐ 8 issues (1 year) just $27.00
- ☐ My payment is enclosed.
- ☐ Bill me later.

MAIL TO: American Heritage, Attn.: Subscription Dept., Forbes Building, 60 Fifth Avenue, New York, NY 10011.

SAVE 25%.

Name (Please print.)

Address Apt.

City

State Zip

Cover Price: $4.50

0655

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In Oregon, as in many states, lobbyists often represent more than one client. These multipurpose lobbyists may come to you wearing their hat as a representative of the Tobacco Institute, but as they speak, you can't help but remember that they also represent many other interests. If you tell the lobbyist, "I'm sorry, but I'll have to vote against you," will that affect your standing with all his other clients? That's seldom openly threatened, of course, but he knows you know—and anyway, politicians are naturally inclined to play it safe.

In this case, one lobbyist was a former Democratic state senator with a reputation for being highly intelligent and politically liberal. He also represented Oregon radio and television broadcasters. The client list of the second tobacco lobbyist included veterans' organizations, social workers, convenience stores, university professors, and beer distributors. The client list of the third included the state's major health insurers; indeed, several years prior to this, he'd simultaneously represented both the Tobacco Institute and the Oregon Medical Association.

Supporters of the bill kept making concessions, including removal of "cigarette smoke" as a specific pollutant in favor of generic language that gave the Health Division authority to set standards but no authority to enforce them. By the time the bill finally came before the committee, it was little more than a glorified study. Imagine my surprise, then, when the tobacco lobbyists, testifying publicly for the first time, strenuously objected to the generic language as an insidious subterfuge to accomplish the purposes of the original bill.

I was livid. Wasn't it true, I asked, that the very language they were now criticizing had been in the bill through several negotiating sessions, during which they'd never criticized it but in fact had expressed support? Well, yes, but the "context" was now different, they explained. Since the bill was even weaker, the only different "context" I could figure was that they'd decided to push for no bill at all. Nevertheless, the committee watered down the bill a little more by deleting some sections, and when it passed the House floor, 47-12, I was almost ashamed of it.

The bill moved on to the Senate, and here I was more angry than smart. As a matter of principle, I wanted some of the deleted language put back in, however little it accomplished. But this required the bill to come back to the House for concurrence in the new amendments, and gave the tobacco lobby time to fully mobilize. Now I wasn't just fighting Phillip Morris and the Tobacco Institute. Oregon's main business lobby, the homebuilders, and even the AFL-CIO, were urging House members not to go along.

On the floor, the second version of the bill was trounced 20-40, sending it to conference committee. I felt worn down and beaten. Over the objection of the bill's original sponsors, I moved to return the bill to the identical version of the one that had passed the House, thinking that this represented the best (albeit slim) chance to persuade enough members to support it.

I was quickly disabused of this hope. To my great consternation, the tobacco lobby continued its vigorous assault on the bill, pulling out colleagues right and left. With three lobbyists working, it didn't take long. Members who had said they would vote (again) for the original House bill were coming up and telling me they were now "undecided." I understood the psychology. Most legislators had no strong stake in the bill. But they were hearing from many interests who didn't want it.

I could count votes, and I knew this effort was doomed. It was literally hours before the showdown on the video game bill, and I remember sitting in the nearly empty House chamber during a recess, the cold reality sinking in. I had invested dozens of hours, and I felt, my own personal reputation on behalf of this bill, even though it wasn't mine originally. I had been reasonable and conciliatory; I had strived to find common ground. If anything, the bill might be worthy of a no vote for how *little* it did. Yet for all that, I was in the path of a steamroller. I felt like the victim of a cruel joke.

My despair was followed, several hours later, by an elation like that of a lost miner who stumbles on a way out. Unbeknownst to me—and to the tobacco lobby—the decision to return to the identical version of the House-passed bill had triggered an obscure rule that allows such a measure to proceed directly to the Senate. While I was feeling sorry for myself, the Senate was at work passing the bill with little debate, and it was now awaiting the governor's signature. The tobacco industry had done an effective job of lobbying; they had just lobbied the wrong chamber!

To the woodshed

The Indoor Clean Air Act illustrates an important fact I learned about lobbies. Even the most powerful ones have difficulty passing a controversial bill. But much less powerful ones can often kill or emasculate bills they don't like. And as prospective campaign contributions play an increasingly prominent role in the calculus of decisionmaking, less and less happens in those areas where one of the sides doesn't have much money—for example, environmental issues.

It would be disingenuous to suggest I was immune to that kind of "play it safe" thinking. On one occa-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sion, I arrived late on the floor just as members were voting on a bill that imposed a $20 tax on wood stove owners in heavily polluted areas. This is a growing problem in Oregon—some of our cities are among the nation's most polluted in winter due to particulate matter—and the legislator sponsoring it, who was from one of these wood stove-polluted areas, was taking a great political risk in trying to solve the problem.

But when the votes flashed up on the screen, there were just 13 ayes. "What was the point?" I found myself asking. The bill was dead, and it might subject me to yet more criticism in the next campaign. Other difficult votes I'd made in recent days were prominent in my mind, as was my frustration at the bill's architect for not supporting another "clean air bill" several days earlier. When my name was called, the word "no" came out.

Within minutes a sick feeling descended on me. I had succumbed to the very thinking I had criticized in others, letting other considerations affect my judgment on a specific bill. Fifteen minutes later, I stood before my colleagues and sheepishly asked to change my vote to "aye." I thought I had minimized the embarrassment of this confessional, only to have the speaker (my former boss) announce from the podium that she was glad my conscience had gotten to me. Everyone laughed. Painful as it was, I knew I deserved it.

But such uncomfortable moments were rare. Each day in the legislature was interesting and often filled with surprises. Most of my colleagues—even those I strenuously disagreed with—were highly motivated and gracious in both victory and defeat. One could engage in heated floor debates, then retire to an amiable lunch, trading political anecdotes. In this case, familiarity bred civility.

Profiles in courage

It often occurred to me that while most people engage in work alongside other people, few get the chance to really work *together,* engaged in the constant give-and-take of teamwork and intellectual struggle than can bring out the best on all sides. Add to this the chess-like complexity of real (and imagined) legislative maneuvering and the ever-present undercurrent of competition. The mixture helped hone my thinking and constantly kept me going during the many slack times.

Indeed, there were many moments when I was proud to have the opportunity to make a difference, however small the battle might be in the larger scheme of things. After all, most of the changes in our system result from a series of incremental steps, settling for a half or a quarter loaf now in the hope that the rest of the loaf will eventually follow. And while petty politics and personal animus can sometimes get the better of people in the process, such moments were matched by others when colleagues took courageous stands.

The example I remember most vividly occurred on the next-to-last day of the session, when the House considered a bill that added the words "sexual orientation" to the state's existing "intimidation" law. This law provides for increased penalties for assaults based on race, religion, or national origin. The bill proposed, for the first time in Oregon law, to make "sexual orientation" the basis for a statutory action, and it was prompted by a series of beatings of homosexuals (one of them fatal) by teenage Skinheads in the Portland area.

The bill was brought to the floor with little chance of passing. Its chief advocate conceded she had 23 firm ayes, 4 maybes, and 5 prayers. Many members of the Democratic caucus strongly argued against taking a vote at all, invoking the need to line up the votes first. However, some legislators had worked for 15 years on behalf of equal protection for gay people, and they argued that if any progress was to be made in this highly sensitive area, we had to take the risk.

The debate started predictably enough. Liberals with long records of support for gay rights gave passionate speeches. Then, to everyone's surprise, a relatively conservative Democrat in the caucus, a blunt-spoken man who sported a crew cut and represented a predominantly rural area, rose to speak.

"I've made a mistake sometimes," he began, "of being too much into this macho thing." He then described how, as a young boy, he had been taunted incessantly for being a Catholic. And he asked us as legislators to try to show some empathy, to imagine ourselves as the parent of a child who needed help and understanding because he or she was gay. The House floor, normally a swirling mass of activity as members lobbied each other during routine business, by this time had fallen still. When he had finished his speech, several colleagues were in tears.

When the vote tally finally flashed up on the screen, the galleries, for the first time the entire session, burst into applause at the 31-29 result. "I'll probably hear a lot about this back home, but I don't give a damn," my conservative colleague explained later.

In the scheme of things, it was a small profile in courage—but a large one to those of us who knew the price that might be paid later on. It made me feel especially proud—and privileged—that I'd had the chance to be part of an institution that provides the opportunity to take those kinds of risks. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WHO'S WHO

It is fairly well known that as the Iraq crisis was developing during August and **George Bush** was in Kennebunkport, his vice-president, **Dan Quayle,** and his secretary of state, **James Baker,** were vacationing in Arizona and Wyoming, respectively, and his chief of staff, **John Sununu**, was in Moscow. Less well known is the fact that Sununu was joined on the Moscow trip by **Andrew Card**, the deputy White House chief of staff, and the following other members of the White House staff: **Roger Porter, Ed Rogers, James Cicconi, Frederick D. McClure,** and **Condoleezza Rice,** all of which has led some observers to argue that since there wasn't anyone left in Washington, the president might as well have been in Kennebunkport. . . .

We noted last year that Bush had gotten one potential witness who could link him to the Iran-contra scandal—**Donald Gregg**, Bush's top security aide when he was vice-president—out of town by naming him ambassador to South Korea. He has again followed this strategy, so long honored by the Mafia, in nominating **G. Phillip Hughes** as ambassador to Barbados. This time Bush may not get away with the tactic. Hughes, who was Gregg's deputy under Bush, is known to have met repeatedly with **Oliver North** from 1984 to 1986, and was called in August to testify before the grand jury investigating Iran-contra. . . .

Of the 12 members of the new Advisory Committee on the Future of U.S. Space Programs, headed by **Norman R. Augustine**, the chief executive officer of Martin Marietta, at least eight are connected to the military-industrial-space complex. . . .

In the process of preparing a long article for *The Washington Post Magazine* on **Richard Darman**, **Marjorie Williams** got a revealing glimpse into the workings of the OMB director's mind by interviewing a teacher at the Rivers School, a prep school outside Boston that Darman attended. The teacher told this story:

Just after a test began, Darman raised his hand to ask the teacher to clarify one of the last questions. He later explained to the teacher that he was trying to get a "little psychological edge" by convincing his main rival in the class that he was almost through the test.

"He was about the only one I ever had who did something like that," the teacher observed. . . .

Last summer, Labor Secretary **Elizabeth Dole** dispatched a covert strike force to investigate migrant farm worker abuses. Agents worked their way north from Florida to determine whether workers were properly documented and paid. But Dole rankled some White House officials and Republican lawmakers who were not given advance notice of the strikes. Reps. **Marge Roukema** of New Jersey and **William Goodling** of Pennsylvania actually wanted to know of the strikes in advance so they could inform (warn) farmers in their districts. . . .

In the latest episode in his feud with John Sununu, **Ed Rollins,** co-chairman of the National Republican Congressional Committee, blames the White House chief of staff for allowing Bush to attack the Democrats on the deficit during the height of tensions with Iraq when national unity rather than divisiveness seemed a more desirable end for the administration to pursue. Actually, it was **Charles Black,** the tough operative filling in for the ailing **Lee Atwater** at the Republican National Committee, who pleaded with the White House to get Bush to go on the attack. . . .

Pat McGuigan, editor of *The Daily Oklahoman* and one of the nation's leading conservatives, was worried about whether Supreme Court nominee **David Souter** was far enough to the right and so arranged a meeting with Sununu and Vice-President Quayle to discuss his anxieties. According to a memo he wrote about the meeting that was leaked to **Murray Waas** of *The Village Voice,* he was assured that, while the White House was presenting the nomination as nonideological, it knew that Souter really was a conservative and that McGuigan and his friends had nothing to worry about. . . .

Antidrug director **William Bennett** has mentioned to associates that he is running out of steam and plans to step down soon. Treasury Secretary **Nicholas Brady,** who had surgery earlier this year, is expected to move on after the November elections. . . .

In fact, watch for a mid-level flight from the White House before the end of the year. With tighter ethics guidelines taking effect in 1991 governing the lobbying activities of former aides, some of those who might want to show Mike Deaver how it's done include: Frederick McClure, James Cicconi—perhaps that's why they wanted to take that last chance to go to Moscow—**Chase Untermeyer** and **Joseph Hagin.** White House political trickster **Ronald Kaufman** may also head out, where the campaign trail awaits. . . .

In—*State:* Ambassador to Gambia—**Arlene Render.** Ambassador to Mali—**Herbert Donald Gelber.** Ambassador to Swaziland—**Stephen H. Rogers.** Ambassador to the U.N. Commission on the Status of Women—**Juliette Clagett McLennan.** *Agencies and Commissions:* Member and Vice-Chairman, Merit Systems Protection Board—**Antonio C. Amador.** Member, National Transportation Safety Board—**Christopher A. Hart.** General Counsel, Office of Thrift Supervision—**Harris Weinstein.**

Out—*Agencies and Commissions:* Director, National Science Foundation—**Erich Bloch.**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Washington Gets to Mr. Smith

Dave Durenberger entered the Senate with a Work and Pray ethic. But then came the swimming pool, the tennis court, the condo, the sweetheart loans, and the free trips.

by Tom Hamburger

"What happened to you?"

Curt Johnson, president of the Minnesota Citizens League, put the question bluntly to Senator David Durenberger on a public affairs television show early this summer. The question lingers with his constituents.

Durenberger came to Washington 12 years ago, an intellectual moderate with bipartisan support and a reputation for high integrity. He was a founding member of his state's ethics board; in his campaign he pledged to "restore trust in government." But something went wrong. The TV appearance came just weeks before the Senate voted unanimously to denounce Durenberger for breaking its expense and income rules through a series of unsavory business deals.

The answer to Johnson's question can't be found in the trial transcript, the 106-page Ethics Committee report, or in campaign and personal financial disclosures required by Watergate-era reforms. Nor can it be found in the explanations ultimately offered by Durenberger—and informally accepted by the Senate—that his moral compass was off because of a period of emotional, family, and financial crisis.

Durenberger did experience wrenching family turmoil in the mid-1980s. But his financial misdeeds and disclosure violations came before and after the crisis period. Given the rash of ethics cases recently, it seems there is something more at work here.

Tom Hamburger is a Washington correspondent for the Minneapolis Star Tribune.

Durenberger arrived in Washington in the middle of the astonishing parallel transformations that have swept through the capital city and national politics: Over the past 20 years, the cost of living well in D.C. and the cost of winning elections have risen drastically. By the late seventies, representatives were discovering they couldn't afford elegant homes or fancy meals out on a government salary; they were also learning that getting reelected might have less to do with constituent service than with fundraiser service. Durenberger was not the only one to lose his way in this strange new world.

Durenberger's ethical lapses bear striking resemblance to those of former House Speaker Jim Wright. Like Durenberger, Wright came to Washington a strong advocate of financial disclosure. Long before disclosure was required, Wright released copies of his tax forms to reporters.

By the end of the 1980s, however, both men were in trouble over condominiums provided or subsidized by well-heeled friends. Both had unorthodox book deals that earned them tens of thousands of dollars from special interests. And both had ceased extolling the virtues of disclosure.

In Wright's case the Ethics Committee's special counsel suggested that, in addition to the other charges, the speaker improperly intervened with regulators on behalf of S&L executives who were also campaign contributors. The committee declined to charge Wright with that violation.

In Durenberger's case there was no suggestion of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

legislative conflict of interest from the special counsel. Not because those conflicts didn't exist. They did. But the conflicts involved legal campaign contributions and honoraria similar to those received by most other members. The Durenberger case is replete with reminders of the familiar adage that what's most shocking is not what's illegal, but what's legal.

Durenberger's most serious offense, according to the Ethics Committee, involved a pair of real estate deals he cooked up to justify billing the Senate for staying in a condo in which he held hidden ownership. The next most troubling was a book publishing scheme that earned the senator $100,000 above the Senate's honoraria limit, not from selling the books but from making speeches promoting the books to medical associations and other special interest lobbies.

Nearly all of the 113 lobbies that paid to hear the senator thought they were paying honoraria for speeches—not "book promotion." Only a few of the groups bought copies of the book in bulk. One admitted that it did so only because the senator's office required it.

The Senate found that Durenberger had pursued these ventures even though he knew they were unethical and against the rules. And his colleagues came down hard, denouncing him on the floor and requiring, among other things, that he pay at least $95,000 in restitution for improperly receiving honoraria.

But the Ethics Committee never questioned whether it was right to receive all that money from groups interested in Senate business, or how the money might have affected the senator's votes on key legislation.

Those questions hit too close to home.

Civic slide

A close look at this case and the conflicts of interest that weren't pursued yields some insights into the peculiar, money-mad environment of Washington, D.C. To focus on the environment is not to excuse Wright or Durenberger. Both men, it appears, were not well-moored ethically. Both developed a need for a more lavish lifestyle than they could afford. That craving clouded their judgment.

Perhaps the most disturbing element in this morality play is that if any politician ever seemed ethically well-moored, it was David Durenberger. Minnesota, after all, is the land of 10,000 civic organizations. Public affairs shows even get good ratings there. The state's political tradition includes a generous view of the role of government and an antiseptic code of political conduct. Along with Hubert Humphrey and Gene McCarthy, Walter Mondale probably best reflects the state's personality, with his midwestern style and suicidal attachment to honesty ("I will raise taxes").

When Humphrey died in 1978, Durenberger was hustled onto the Republican ticket. He seemed tailor-made for the high-minded Minnesota electorate. He grew up on the grounds of a Benedictine abbey in central Minnesota, in a tiny cluster of homes called Flynntown. His father was the adored football coach of the abbey's St. John's College, where Dave studied as an undergraduate. Durenberger's senior yearbook pegged him as the graduate "most likely to translate St. John's Work and Pray Ethic into public service."

In his 1978 campaign Durenberger said he wanted "to address the decline of public confidence in American institutions." He won handily and swept ebulliently into Washington. It was no accident that shortly after he arrived in D.C. Durenberger was asked to serve on the Senate Ethics Committee, where he sat in judgment of his peers. He rose swiftly in the Senate. Within two years of his election, he was chairman of his own Finance subcommittee, Health, where he took to the arcana of health policy with gusto.

Durenberger's most outspoken defender in the Senate, Minnesota's millionaire senator Rudy Boschwitz, said, "I think it's a matter of fact that if he had had a very large and secure financial base that he might not have made the book arrangement or he might not have done the housing arrangement. All of us are subject to pressures, and if you don't have money, that's an additional pressure."

Not having money is, of course, a matter of perspective. To Boschwitz, Durenberger is a pauper. To Durenberger's constituents, who make an average of $17,746 a year, he's loaded.

By common reckoning Durenberger came to Washington with real money. He sold his house in Minneapolis for a sizable profit. His first year's financial disclosure form revealed that he had about $80,000 in savings, after purchasing a comfortable house in McLean, Virginia. And Durenberger has a congressional salary with perks that include a generous pension, medical benefits, free postage, telephone, and travel, as well as per diem expense reimbursement.

The problem wasn't that Durenberger had too little money but that his peers had too much. Washington is the country's premier city of affluence. The 1990 Census shows that the beltway that rings the city slices through five of the nation's 10 highest income communities. And if the District of Columbia were a state, it would rank third in per capita income. It wasn't always so. Even in the late sixties, Washington was still a quiet southern town. Upper-level civil servants and congressmen could afford nice

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

homes in Georgetown and Chevy Chase; dinner at even the best restaurants was within reach. Then came the rapid proliferation of trade associations and other special interest groups, increasing business, fees, and expense accounts for Washington's lawyers. The D.C. economy ceased to be geared to civil-servant pay. Real estate prices in the best neighborhoods shot up. At cocktail parties, congressmen discovered they were wearing the cheapest suits in the room. At dinner, senators and their wives began eyeing the right side of the menu.

On Capitol Hill, where lobbyists and hot-shot journalists can now pull in over $200,000 a year, an income of $125,000 (the maximum including honoraria a senator may earn in a year) might seem inadequate. But to many of today's senators, that salary is play money. Last fall, Senators Warren Rudman and Robert Dole told *The New Republic* that up to two-thirds of their colleagues were millionaires (the elliptical disclosure forms show that only one-third are). Class warfare has erupted a couple of times in the Senate recently, once last November, when many of the Senate's millionaires voted against a proposed pay raise, infuriating members who felt they needed the money.

This August, after Chris Dodd proposed legislation to limit earned income of senators, Daniel Moynihan, who makes money from writing and teaching on the side, countered with a proposal to limit *unearned* income. The Moynihan proposal quickly took the wind out of the sails of all the senators who could (literally) afford to be reformers. As Lloyd Bentsen put it, "If Moynihan becomes law, I couldn't stay in the Senate." Others might also have to rethink their careers—like Herb Kohl, who spent $6.1 million of his own money to win his seat, and Jay Rockefeller, whose monthly mortgage payment on his Washington mansion reportedly equals the amount senators may legally earn in a year, and John Heinz III, whom *Forbes* has listed as one of the richest 400 people in America. No wonder Durenberger continually poor-mouthed to friends. While his peers—the Heinzes, the Boschwitzes, the Danforths—could spend with abandon, Durenberger had to watch it.

But Durenberger drew the wrong conclusion from all this. During the spat over the pay raise, which he favored, Durenberger observed, "There are just more millionaires than us average folks than ever before" pursuing Senate seats. Only after being insulated from his constituents could he possibly consider himself "average." He was well off. But his friends say Durenberger, like successful people everywhere, was intensely competitive. He was driven to keep up with the Boschwitzes.

To his pleasant surprise, Durenberger learned early that he could significantly supplement his Senate income simply by speaking, something he enjoyed doing. In 1980, he took in $21,000 in honoraria from hospital and securities firms, homebuilders, bankers, and others interested in getting to know a member of the Finance Committee.

As Durenberger came into money, he spent it. That year, his third in Washington, Durenberger built an addition to his modern, commodious home in McLean. He also put in a swimming pool and a tennis court. These amenities helped cut capital gains taxes on the sale of his Minneapolis home, but they still ate substantially into the senator's budget.

Durenberger's reaction to questions about the propriety of taking trips from firms seeking tax breaks? "I think it's wonderful that they do that. I don't see the conflict."

Even as Durenberger cranked up his speaking schedule, his relative lack of resources vexed him. He complained to his staff about the expense of keeping tuxedos, noting that if he were CEO of a major company, he would not have to worry about such costs. Even with the house, the tennis court, the pool, and the perks of office, Durenberger complained. In explaining why he got into the book and condo deals last winter, he lamented his life on a congressional salary.

"It's difficult to take vacations and other things that normal people get to do," he said. "You can't buy a home at the lake, you can't have a boat in the backyard and some of those things."

Brooks Jackson, a Washington reporter who writes frequently on money and politics, noted in a recent book that "the longer congressmen served, the more vulnerable they seemed to be to the temptations of honest graft"—that is, of accepting money and other benefits from groups with an interest in legislation.

This pattern helps explain Jim Wright's change of heart, according to Jackson. Through 1975 Wright was an advocate of financial disclosure by politicians. That advocacy ended in 1976, when a lobbyist friend arranged a dinner fundraiser for Wright so the congressman could retire nearly $100,000 in personal debts.

Not all members worry as much as Durenberger

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and Wright did about personal finances. But they all worry about campaign finances.

Since Durenberger was elected to fill an unexpired term, he faced reelection in four years. To wage even an average senate race in 1982 would take millions, Durenberger was told. He at first resisted the pressure to chase after campaign funds, but when he realized his opponent would be Mark Dayton, heir to a department store fortune, Durenberger attacked fundraising with the same intensity he brought to his committee work. Faced by a challenger with bottomless pockets, what incumbent wouldn't throw himself into the arms of the PAC men? Still, the incumbent at least has a chance. A poorer challenger without the credential of incumbency is likely to be intimidated right out of the race; if he does run, he's going to have trouble finding anyone who'll give him money. Thanks to wealthy candidates, PACs, and special interests, a Senate seat on average now costs just under $4 million, and we've returned to a Senate full of millionaires—the same kind of group we had before 1913, when the institution of direct election of senators was supposed to put an end to this problem.

Even if Dayton hadn't provided the incentive to raise funds, the environment of the Senate would have done it. At his ethics trial this summer, Durenberger was denied the opportunity to make an opening day statement because the committee needed to finish work by 6 p.m. The nightly cocktail fundraising receptions had already begun.

Pocket envy

So the midwestern reformer who came to town skeptical of the campaign finance system ended up joining in. Some say the turning point was the February recess of 1982. Instead of flying to Minnesota as usual, Durenberger flew to the West Coast to meet with a handful of Californians, who helped funnel thousands into his campaign.

Durenberger found that raising money wasn't so difficult. In fact, he found he was good at it. Durenberger is the senator from central casting. He has classic good looks and a deep, rich voice, and he's appropriately gray at the temples. More important, he had membership on the Finance Committee.

Members of the Finance Committee have a leg up on other senators because that committee, after all, writes the nation's tax laws. In 1982, Durenberger was able to raise $3.1 million for his race against Dayton. He raised more that year from political action committees than did any other senator. Most of it came from industry groups with a stake in legislation before the Finance Committee.

"Boy, I'd have taken money from anybody in that campaign," Durenberger later told *The Wall Street Journal*. What about his objection in years past to the campaign finance system?

"Maybe in the first couple of years I would have said that, maybe even through the campaign." But now, he added, "There's probably a sense of realism that comes with one reelection that says, 'That's the way it is.' Bad though it may seem, it's still better than second place." This from the Minnesotan who, a St. John's annual once noted, "intends to put Flynntown on the map by reforming national politics."

Durenberger went on to explain: "I don't feel sleazy having to ask the same people that are lobbying out here and all that sort of thing for money, that doesn't bother me."

And ask he did. Durenberger championed an ill-fated tax proposal that allowed rust-belt industries to sell their tax credits to more profitable firms. The industries that benefited—steel, railroads, and airlines—all contributed substantially to his campaign. To a questioning reporter, he quipped, "PACs are the United Way of politics."

Durenberger worked hand-in-hand on the Finance Committee with Senator Robert Dole to secure a tax break for gasohol, the alternative fuel made partly from grain. Their efforts to "promote production through tax cuts" earned them appreciation from farmers and especially from Archer Daniels Midland, the agribusiness giant that manufactures more than half the gasohol produced in the U.S. The firm, chaired by Dwayne Andreas, has profited from gasohol thanks to the reduced tax rate, which costs the U.S. Treasury $95 million a year. The company's PAC gave $9,000 in 1982 to Durenberger. Andreas family members gave an additional $10,600.

The year after his victory over Dayton—1983—Durenberger's personal earnings from speeches soared to $93,000, nearly one and a half times his Senate salary. The extra money came in handy. His eldest son was reaching college age. And his improved house cost more to maintain.

But the next year, disaster struck. Congress, under pressure to reform, passed legislation limiting honoraria to 30 percent of a senator's salary. Durenberger voted against the limit, with good reason: The rule slashed his income in 1984 by nearly $70,000.

To cope with higher bills—some related to his family's counseling needs—Durenberger began borrowing more and more money from Commercial State Bank in St. Paul, run by a college friend.

Over the years, the bank loaned Durenberger nearly a million dollars, some of it at very low interest rates—and he was seldom asked to provide collateral. Durenberger repaid the loans, but he failed to record some of the low rates and some of the larger

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

loans on his financial disclosure statement, as required by law.

Even with low rates and no requirement for collateral, Durenberger seemed to have money on the brain. At a party for visiting Minnesota Republicans at Boschwitz's spacious home in McLean, Durenberger complained about his lack of resources. "I'm the senior senator, I came out here first," some in attendance recall him saying. "Rudy and I each have four boys. I looked at this house. But I couldn't afford it. So Rudy bought it."

Durenberger groused that ethics questions were driving all but the wealthy from office. "If the ethics frenzy keeps going, most of us are going to bail out of the place and let Jay Rockefeller and those folks run it," he said.

Durenberger's staff members were well aware of their increasingly difficult boss's desire to make money.

The growing size of Senate staffs has increased the isolation of senators from their constituents. A senator is courted by staff and lobbyists from the time he leaves home to the time he returns. To be sure, he will pose for pictures with school children and find time for a brief talk with visiting farmers, but he spends most of his time with lobbyists representing monied interests and staff members eager to please.

"He became a different guy," recalled his old friend and former press secretary, Lois West, after leaving Durenburger's employment. "You stride down these impressive hallways and six people are running after you to do your bidding. It has an effect. You get to be one of the most powerful people in the world. And then you forget why you wanted to be that."

West recalls driving with Durenberger a couple of years ago when the senator ran a red light. Durenberger shrugged it off, noting that Senate privilege protected him from traffic tickets and prosecution.

In the mid-1980s, Durenberger's marriage fell apart. He had an affair with a Senate employee, then moved out of his home to a Christian retreat house in Arlington, where he contemplated divorce, the serious drug problems of two of his sons, and his financial burdens. Durenberger recalled this period during his ethics trial to explain his behavior. While it's easy to have sympathy for his predicament, one needn't sympathize with his solutions.

Piranha politics

As Durenberger's appetite for campaign and personal cash expanded, his aides say he looked around and saw senators with lucrative book and television contracts. He saw some of them going on luxurious free vacations (sometimes picking up honoraria, too), getting good deals on real estate, and getting travel expenses and free media coverage through foundations they set up.

His defender on the Senate floor, Robert Dole, was certainly an instructive model. Dole had found myriad ways—all of them apparently legal—to enhance his income, stature, and national visibility.

Dwayne Andreas, his family, and his company sent a total of about $130,000 to Dole in the eight years before his 1988 presidential run. According to *The Wall Street Journal,* about $45,000 went to Dole's personal campaign fund and the PAC (Campaign America) he started to give money to others. In addition, an Andreas foundation gave $85,000 to a charity Dole established in his name to assist the disabled. And the Doles found a bargain-priced condominium at the Sea View Hotel in Bal Harbour, Florida, previously owned by Andreas.

Of those contributions, only the campaign donations were easily accessible through disclosure laws. (Individuals are permitted to give only $2,000 per election cycle to a candidate's campaign ($10,000 for PACs). In addition, they can provide up to $2,000 a year in honoraria.) The others were uncovered only when news organizations looked into Dole's financial background during the 1988 presidential race.

In the mid-1980s, Durenberger let his staff know that he wanted a piece of this action. He leaped at an offer made in 1984 by a little-known Minneapolis magazine publisher, Piranha Press, to put his defense policy papers together in book form. Documents show he and his top staff saw early that he could use the deal as a way to collect speaking fees from special interests.

Durenberger also grabbed at a chance to save rent and taxes by putting his condo into the "Durenberger-Scherer Partnership." His wealthy friend Roger Scherer agreed to the 50-50 condo partnership, which required him to pay a share of Durenberger's mortgage. (Scherer's apartment was clear of any mortgage, so it wasn't a clean split.) When the partnership deal went bust after a few years, Durenberger's former campaign manager agreed to buy the condo and return it to the senator whenever he wanted. The ex-manager never recorded the sale, but paid the mortgage, the condo fees, and other bills.

When Durenberger began submitting requests to the Senate for reimbursement for staying in the condo, he changed the name of the partnership to "603-703 Partnership" and never disclosed his ownership. Around the same time, Durenberger's staff began to look to private companies and lobbies to pay for Durenberger's vacations and other personal trips.

Durenberger also started two foundations. Like Dole's, both had legitimate public purposes, so they

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were not investigated closely by the Ethics Committee. In addition, they served to boost the senator's name recognition and occasionally to pay for his travel.

Many of the financial benefits Durenberger received via these machinations were legal and didn't need to be reported. Most also came from people and organizations with an interest in matters before the Finance Committee. Until the Senate returned to Democratic hands in 1985, Durenberger was one of the committee's most powerful members, particularly since he chaired the Health subcommittee.

Health lobbies dominate his list of contributors. The American Medical Association independently purchased more than $100,000 of television advertising for Durenberger during his 1988 reelection race. And consider the money that flowed from the Massachusetts Mutual Insurance Co., which, like the insurance industry generally, received favorable treatment from the Finance Committee in the 1986 Tax Reform Act. Through its PAC, the company gave Durenberger $9,946. In 1985, Massachusetts Mutual provided Durenberger with airfare and lodging for a conference in Fort Myers, Florida. And in 1986, the company also gave him $2,000 in honoraria.

After Durenberger reached the maximum honoraria limit in 1985 and 1986, groups requesting a speech would be told to write their honoraria checks to Piranha Press. In 1986, Massachusetts Mutual did so to the tune of $4,000, twice the honoraria maximum. The company then took the unusual step of ordering copies of Durenberger's books in bulk, providing an additional $1,500 to the senator's unorthodox honoraria dodge.

At the same time this was going on, the insurance lobby fought successfully to preserve reduced tax rates on the cash value of life insurance. According to the Campaign Research Center, Massachusetts Mutual alone gave more than $200,000 in campaign contributions to members of Congress. Several insurance companies ultimately received exclusive tax breaks, including Massachusetts Mutual, which saved $11 million in 1986.

Massachusetts Mutual and other insurance companies took a keen interest in Durenberger's Americans for Generational Equity Foundation (AGE). Massachusetts Mutual contributed to AGE during this period, but the exact amount is not available because AGE recently shut its doors. (Similarly, the $2,000 Massachusetts Mutual gave to Durenburger in 1986 went to his Foundation for Future Choices.) AGE had done some pioneering work challenging conventional wisdom about social security and other benefits for the elderly. But the executive director quit in 1987, claiming that he had been pressed by Durenberger's staff to direct the organization's funds to a new Minnesota chapter during the senator's reelection campaign. Durenberger denied the charge. Other insurance companies that received tax breaks contributed to AGE. Prudential gave $10,000 to AGE in 1989. Archer Daniels Midland gave $5,000.

Taxes for sale

In 1985 and 1986 Durenberger arranged a series of four-hour therapy sessions with a psychologist whose offices were located about 35 miles outside of Boston. To help defray the cost of traveling to these sessions, the senator's staff would call lobbyists in the Boston area to arrange trips.

Since Massachusetts Mutual had offices near Boston, Durenberger accepted a company offer to provide air tickets, hotel, and limo service. After the counseling session, the limo took Durenberger to lunch with company executives. Of all the money and favors provided by Massachusetts Mutual, only the limo rides were considered troublesome by the Ethics Committee.

Durenberger didn't accept free travel only from Massachusetts Mutual. He also got it from other companies that got breaks under the tax bill.

For example, the Puerto Rico-U.S.A. Foundation provided a one-week vacation for Durenberger and two of his sons after the senator spoke to members in San Juan. The members, by the way, were officials of about a dozen U.S. companies with factories in Puerto Rico. They wanted continued tax breaks for doing business there. They contributed $31,200 to Durenberger's campaign. They got the tax breaks.

Durenberger's reaction to questions about the propriety of taking trips from firms seeking tax breaks?

"I think it's wonderful that they do that. I don't see the conflict. Those people are creating jobs and participating in the political process."

If you want to know who is really influencing a member of Congress, the Durenberger case proves you have to dig beyond campaign finance and financial disclosure reports. You have to go home with him. In Durenberger's case, wealthy friends who might have been interested in legislation picked up personal bills and supplemented the lawmaker's income—like his bank president buddy who offered the senator sweet rates on unsecured loans.

Several of the senator's friends said Durenberger adopted a rationalization for his questionable deals: Since he was doing great work for the public and suffering financially as a consequence, he felt entitled to take a few perks, maybe even cut a few corners. Some friends and one long-time staffer warned Durenberger against making these moves. A trusted

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

aide, Jimmie Powell, *quit* the senator's personal staff in protest over the book deal. The senator ignored the warnings and pushed ahead with the deals that would eventually lead to his formal denunciation on the floor of the Senate.

Is it any wonder that Durenberger couldn't answer the question posed to him by the Minnesota Citizens League president? Clearly, Durenberger's attitude for years had been, "Why not?"

You can't really blame Durenberger for being surprised at how hard his fellow senators came down on him. After all, a dozen members have book deals. Most are rolling in dough. And, as their reluctance to examine Durenberger's legislative conflicts of interest demonstrates, most senators are too busy picking up tens of thousands from wealthy contributors to discuss ethical questions.

In his final plea to the Ethics Committee, Durenberger asked the panel to "look at your own lives when making a judgment about mine." This plea apparently moved many senators, a dozen of whom rose to praise Durenberger before voting to denounce him. But one member was clearly unmoved: Warren Rudman, the vice-chairman of the Ethics Committee, a former prosecutor with little income outside his salary who lives modestly. Rudman had heard this plea from Durenberger before. In 1987, Durenberger was mildly reprimanded by the Ethics Committee for discussing classified information at a fundraiser sponsored by a pro-Israel committee. Rudman was frustrated that Durenberger got off lightly. The Durenberger defense was that his breach was unintentional. Now, two years later, Durenberger was before the panel again.

Just prior to Durenberger's Senate hearings, Rudman was asked about the temptations to violate Senate rules in a city consumed by money and power. Rudman answered simply, "It's not difficult to be ethical." □

MEMO OF THE MONTH

Guess who's still governor?

The Commonwealth of Massachusetts
Massachusetts Correctional Institution, Norfolk
2 Clark Street, Norfolk 02056

Norman J. Butler
Superintendent

POST IN UNITS

TO: All Concerned

FROM: James B. Krantz, Policy Coordinator *James B. Krantz*

DATE: May 19, 1989

RE: SOFTBALL FIELD

This notice is provided for your information:

A third softball field will be made in the West Field in order to allow more inmates to play softball. The horseshoe pits will be temporarily relocated near the Golf Course. The Bocci area will be relocated at the site of the new gym. The soccer field will be relocated to the East Field behind the softball field.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

DEPARTMENT OF SELF SERVICES

Marion Barry's new boy network of cronies in the Department of Human Services didn't help Washington's downtrodden. They helped themselves.

by Michael Willrich

David Rivers was nursing a hangover on the morning of October 3, 1986, as he faced another rocky day at the helm of the beleaguered Department of Human Services (DHS), Washington's largest city agency. DHS is entrusted with one-quarter of the city's budget and the formidable task of caring for D.C.'s neediest citizens—the homeless, the mentally ill, crack addicts, people with AIDS, pregnant teenagers, bedridden seniors—and in 1986, the agency was doing a miserable job of it. As allegations of mismanagement at DHS surfaced weekly in *The Washington Post* and *The Washington Times*, Mayor Marion S. Barry's political advisers reportedly urged him to fire his DHS director. But the mayor stood by his old friend, and the pressure continued to build. Today, hangover and all, Rivers would again face the press and respond to the latest disheartening dispatches from Washington's poverty and drug wars.

A siren wailed outside as Rivers shared his woes with a visitor to his Northeast D.C. office. "Goddamn drug abuse thing and these drug arrests," declared Rivers, a South Carolina native whose closely trimmed beard and thick glasses lend him the air of a political science professor, but whose manner of speech does not: "[W]e went from 4,000 arrests last year to 9,000 fucking arrests this year."

Michael Willrich is a Washington writer. Research assistance provided by Kierstan Gordon.

Listening to Rivers, Len Carey fit the part of the Atlanta businessman with deep pockets and a disarming good-ol'-boy charm. "What're you gonna do with them?" he asked.

"Fuck if I know," said Rivers. "[T]hey keep sending these motherfuckers through the system."

But Len Carey hadn't ventured to Rivers's office to ponder urban problems. He had come seeking city contracts, and he had come well recommended. It wasn't his track record in city contracting that opened Rivers's door—Carey didn't have a track record. Carey had *connections*. John Clyburn, a prominent local contractor and one of Rivers's closest friends, had arranged this meeting with a phone call. "Just wanna come over there and kinda talk about that company and what kinda stuff they'll be doing," Clyburn had told Rivers.

Another door-opener for Carey was that his business partner, Warren Barge, was a buddy of Rivers and Clyburn's. An acquaintance of Barge's once remarked that the fast-talking huckster from Flint, Michigan, could sell bikinis to Eskimos. But Barge had learned a surer way to finance his Mercedes-Benzes and vacation homes: the former auto worker traveled the country obtaining lucrative minority contracts with government agencies. With an $840 million budget and roughly 700 contracts a year, DHS could buy a lot of fancy cars.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"I don't want no trouble, y'all," Barge joked as he joined Rivers and Carey in the DHS director's office. After some small talk about women, the men got down to business. First order: Rivers was hosting a campaign fundraiser in Atlanta for Barry's reelection effort, and the businessmen had agreed to sponsor the event. ("It'll probably take your stock up a little," Clyburn had advised Carey.) Rivers had printed invitations for them to distribute, and he left the office to retrieve them.

When he returned, the talk shifted abruptly to B&C Management Consultants Inc., Barge and Carey's new firm. B&C had already applied for certification as a minority business enterprise, Carey told Rivers, which would entitle the firm to bid for minority set-aside contracts and ensure it extra evaluation points when it competed for non-set-aside contracts. Carey, who is white, would be the money behind B&C; but Barge, who is black, was designated the majority partner.

"What all are you going to be doing?" Rivers asked.

"Well, we're . . . we're gonna be project managers," began Carey's unpromising spiel. "Mr. Barge being familiar with construction and rehab industry, and me being a certified asbestos, uh, manager. We thought we could put the two together and, uh, there's a hell of a lot of government buildings here in the District that we could, uh, could look at and offer you a program, uh, asbestos is something that's not going to go away."

At this point, a manager with the best interests of his department and his city in mind would have sent Barge and Carey back to the drawing board. Instead, Rivers picked up the phone and hailed a subordinate. "I'm gonna have you meet my facilities management guy," he told the businessmen. "The management guy, OK, do a lot of other kind of stuff, like surveys, and looking at energy reduction cost savings, kind of shit like that. . . . I'll just plug you guys into some shit . . . start small, then grow big, all kinds of stuff."

"You all just do this," Rivers said, referring to the fundraiser invitations.

When the "facilities management guy" arrived, Rivers ordered him to give B&C an energy audit contract—pronto. "I want to start with a . . . a . . . 24,000 piece," Rivers said, "then I'll simply look at and amend them as we go along." The beauty of a $24,000 contract, Rivers explained, is that he personally could authorize it—no competitive bids, no contract review committee, no hassle. "I want them," he told an assistant. "I'm talking ASAP."

A month later, as B&C began zeroing in on its second non-competitive DHS contract, Barge would joke with Carey about that first meeting with Rivers and their lightning-quick transformation from asbestos experts to energy auditors. "We got a whole new fuckin' career in seven minutes," he laughed.

Barge had no idea his partner was an FBI agent. Neither did Rivers.

Tammany on the Potomac

George Washington Plunkitt, an Irish ward boss who thrived in New York's Tammany Hall at the turn of the century, frowned on blatant political chicanery like stealing or bribery. "The politician who steals is worse than a thief," Plunkitt once lectured. "He is a fool. With the grand opportunities all around for the man with a political pull, there's no excuse for stealin' a cent." Plunkitt wouldn't have thought much of Ivanhoe Donaldson, the former Barry deputy mayor who pleaded guilty in 1986 to looting about $190,000 from the city coffers. Nor would he have been impressed with Alphonse Hill, another Barry deputy mayor, who was convicted in 1987 of steering roughly $300,000 in contracts to a friend's auditing firm: Hill allegedly told one contractor that he routinely tacked on a fee for himself to city contracts that crossed his desk. But Rivers and Clyburn would have been Plunkitt's kind of people. Men with political pull to spare, Rivers and Clyburn made the best of grand opportunities and, according to a jury of their peers, never stole a cent.

In mid-July, Rivers and Clyburn were acquitted on federal charges that they conspired to steer millions of dollars worth of DHS contracts to firms owned by Clyburn and his friends. The case grew out of a 17-month undercover operation and a two-year grand jury investigation, which, according to U.S. Attorney Jay Stephens, revealed a "seamy web of corruption, concealment, manipulation, and self-dealing by one of the most senior officials of the D.C. government and his close associates both within the government and in private business." Rivers and Clyburn contended that they had only engaged in Washington-style networking to advance local minority businesses. And even the prosecution conceded that *United States* v. *Rivers, Clyburn* lacked the trappings of a conventional city corruption case. There were no briefcases full of C-notes, no phony invoices, no dummy corporations. The contractors who profited from the alleged schemes actually did some work. In the end, the absence of a smoking gun meant acquittal.

On July 16, Mayor Barry took a break from his own federal drug and perjury trial to rejoice in his friends' acquittal and hail the decision as a vindication of his administration. "[T]he jury showed that Washingtonians are too sophisticated to be fooled by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

thinly veiled attempts by the U.S. government to gut the Barry administration's successful partnership with the minority business community," Barry said. As with the Barry trial, the mayor's defenders view *United States* v. *Rivers, Clyburn* as a racially motivated assault on a black city government. "What I consider the central issue in this trial is that the federal government overreached," says Lawrence Guyot, a longtime Barry aide and neighborhood activist. "I think if two Caucasians were involved in the same kind of relationship, there wouldn't have been a trial."

Rivers and Clyburn got off. But it would be a mistake to conclude from the jury's decision that minority contracting in D.C. is on the level. The jury itself concluded, as its foreman told the *Post*, that "the law was somehow violated, but the prosecution failed to seal tight the evidence." Even so, federal prosecutors have produced a rich mine of documentation—including thousands of pages of FBI "wire" transcripts—that illustrates how a "new boy" network of black businessmen and Barry politicos manipulates contracting. It's a network that cuts deals at power eateries like Joe & Mo's on Connecticut Avenue downtown; it's a network that refers to city contracts as "pieces."

The city's downtrodden have fared little better under the black new boy network than under the white old boy one that ran the city before Home Rule, and the new boy network is somehow more insidious than its predecessor: Portraying themselves as champions of minority businesses, black insiders like Rivers and Clyburn stifle legitimate minority enterprises by keeping contracts within the network. Legal standards being what they are, it may even be just that Rivers and Clyburn walked; but if these political descendants of George Washington Plunkitt were not legally corrupt, the evidence leaves no reasonable doubt that they were morally corrupt. Rivers, in particular, showed great insensitivity to the people he was supposed to be serving as head of DHS.

United States v. *Rivers, Clyburn* is hardly the first time the Barry administration's "partnership" with D.C.'s minority business community has come under attack. Since the early eighties, allegations have arisen again and again that the Barry machine uses the minority contracting system as a spoils heap for its friends. Former D.C. purchasing officer Jose Gutierrez lost his job after complaining that the city was paying millions of dollars too much for goods and services provided by minority contractors with ties to Barry. In 1984, City Auditor Otis Troupe protested that the District could not justify $200,000 in contracts awarded to Barry aides and former politicians. And according to a *Washington Post* essay by Juan Williams, sources told the paper that in 1986 the Barry administration squelched a preliminary report on minority contracting that showed 80 percent of city money paid to minority contractors found its way to a handful of firms with close ties to the mayor.

The Barry drug trial churned up further evidence that cronyism pervades city contracting. Several prosecution witnesses who testified they used cocaine with the mayor had also worked on city contracts. Rasheeda Moore, Barry's former girlfriend and co-star of the infamous Vista Hotel videotape, ran a summer youth program for three years at a total cost to the city of $180,000.

To protect the taxpayers, D.C. law says city contracts should be awarded to the lowest qualified bidder. To advance minority businesses, D.C. law also stipulates that 35 percent of each agency's contracts be awarded to minority-owned and -controlled firms. Barry touts the city's set-aside program as one of the most progressive in the nation and a cornerstone of his administration. But *United States* v. *Rivers, Clyburn* offers a rare window on how the new boy network undoes the program's avowed goals by trading on inside information and connections. As with old boy networks, there's the usual orgy of denial: We're all doing it, so how can it really be wrong?

In a wiretapped conversation with Len Carey, Clyburn echoes Plunkitt's political lessons. "There's nothing illegal," Clyburn muses. "Maybe a little unethical, but nothing illegal about what we're doing."

Warren barges in

During the trial, the defense team repeatedly suggested that the case was pure politics, that the federal government went fishing for Marion Barry and mistakenly hooked Rivers and Clyburn. The truth is far simpler: Warren Barge's big mouth led the FBI straight to his friends.

In November 1986, a Washington firm called Asbestos Abatement Services (AAS) bid on two D.C. contracts to inspect asbestos in city-owned buildings. While they were awaiting word from the city, AAS executives received a call from a stranger who identified himself as Warren Barge and claimed he had been "tipped off" about AAS's bid to the Department of Public Works (DPW). As proof, he rattled off details from the confidential proposal. The stunned executives agreed to a meeting with the stranger, but, unbeknownst to Barge, they also invited the FBI.

Posing as a moneybags consultant to AAS, Len Carey hit it off with Barge at the meeting. Barge told the AAS executives that with his connections the Public Works contract was in the bag. His price:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

$50,000 for himself and $100,000 for his "people," whom he later said included two D.C. department heads and a "power broker." The extra $100,000 would be generated from "change orders," routine amendments to the contract that would be based upon fraudulently inflated costs. Undercover FBI agents trailed Barge when he left the meeting for a rendezvous with John Clyburn at Clyburn's K Street consulting firm, Decision Information Services Corporation (DISC).

The FBI kept Len Carey on the case, and he became AAS's liaison with the man from Flint. Over breakfast in an Atlanta hotel, the men forged what Barge good-naturedly called a "salt and pepper team" that would use his D.C. connections to win contracts. "In the South, for a black boy to make money, he's got to have the help of a white boy, you understand me?" Barge said. He clearly knew that his AAS shakedown was illegal, because he asked to see Carey's driver's license, saying, "I don't wanta run into no problem, uh, like this Abscam case."

Portraying themselves as champions of minority businesses, black insiders like Rivers and Clyburn stifle legitimate minority enterprises by keeping contracts within the network.

Barge was a big talker, but he could also deliver. He showed Carey copies of confidential draft letters from DPW that AAS would receive about a week later; he gave Carey handwritten documents detailing the minority participation plan AAS should use in its revised contract proposal. (Naturally, the plan included a subcontract to Barge's firm, Federal Door and Window.) And Barge extracted $6,500—the first of his AAS payments—from Carey. Barge so trusted Carey that he lined up a meeting for him with the "power broker."

They met over coffee in Clyburn's office, taking in the view of the White House and the Pentagon beyond. They cracked jokes, they talked real estate, and Clyburn lectured Carey on the ins and outs of the D.C. contracting system. Clyburn knew "almost everything" about the AAS contract, he said. He himself had drawn up the minority participation scheme and had told Barge to recopy the draft in his own handwriting. Those "little GS-9" employees at public works were trying to kill the contract, Clyburn cautioned, but he was counting on the intervention of DPW Director John Touchstone: "Touchstone, who is my man, and who is the only person there now trying to salvage this thing for Asbestos Abatement because I asked him to, and I know that was wise."

The power broker laid out his elaborate strategy for winning the AAS contract. He claimed to have obtained a contract for the accounting firm Coopers & Lybrand to advise the department in asbestos-related matters. He would have the firm critique the AAS proposal and then work with him to tailor a new one. AAS would resubmit the bid, and Coopers & Lybrand, acting as consultants for the department, would quiz AAS with softball questions about the contract. "That's the strategy," Clyburn explained. "[I]t takes it out of Touch's [Touchstone's] hand and puts it into the expert's hand, and nobody questions that expertise."

Clyburn emphasized that he was a silent participant in the AAS deal. "I'm talking with you now because you have a longstanding relationship with Warren," he confided. "If I hear some of this again, I'm gonna have to deny it and then I'll never talk to you again." In a later meeting with the agent, Clyburn boasted, "As you and I talk, I am sitting here in complete control of that process at DPW. . . . If . . . I back off it, it is absolutely a dead issue."

The contract ultimately was a dead issue, anyway. DPW rejected AAS's bid. But Carey stayed on the case, and the FBI did some checking up on John Clyburn, thinking perhaps that they had something big on the line.

Taciturn and lightly bearded, with deep-set eyes, 47-year-old John Clyburn made quite an impression on the jury. He cut a respectable figure—a family man with a house in the suburbs and a Jaguar in the garage. Jury foreman Thomas McLean told the *Post* that Clyburn's demeanor on the witness stand helped sway the 12 citizens in the box. "He was eloquent and charming," McLean enthused. "He was integrity personified." One of the reasons conspiracy cases are so difficult to prosecute—besides the mountains of paper evidence—is that accused white collar criminals are often impressive people. They wear nice suits, they earn more than the jurors, and they exude

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

confidence—as do their high-powered attorneys.

But courtroom behavior is not real behavior. Matched against the candid John Clyburn recorded by the FBI, the deferential witness-stand version is as ingenuous as Eddie Haskell sweet-talking Mrs. Cleaver in the kitchen. A very different Clyburn emerges from conversations like the following: Rivers has just asked Clyburn whom he has rounded up to sponsor the Atlanta fundraiser. The sponsors Clyburn mentions are all contractors who have or want business with DHS.

JC: Put, uh, Len Carey. C-A-R-E-Y.

DR: Lynn, L-Y-N-N?

JC: Now, this is a dude. Now, he probably ain't spellin' motherfucker . . . no, Lynn, huh? Wait a minute . . . let me find out.

DR: L-E-N?

JC: (laughs) Uh, let me check this motherfucker, uh, Warren Barge . . . where's that . . . Len . . . Leonard L-E . . . L-E-O-N-A-R-D . . . Leonard Carey.

DR: Carey?

JC: C-A-R-E-Y.

DR: C-A-R-E-Y.

JC: Hold . . . hold the talking . . . y'all can't spell . . . you can't talk?

DR: Oh.

JC: You can't do shit. Uh, put, uh, Porter Bankhead.

DR: Porter Bankhead?

JC: You just let me handle this motherfucker.

DR: Porter B-A-N-K-H-E-A-D.

JC: All right. Uh, I'm gonna get a couple more white boys' names from this white boy.

Special orders don't upset us

Clyburn introduced the FBI secret agent to D.C.'s inner circle of businessmen and city officials. The new chums played bridge, partied at the Omni Shoreham Hotel, and did lunch at Joe & Mo's, the nexus of Washington's old- and new-boy networks. Once your eyes adjust to the light in that dim cellar room, you can count on seeing an overwhelmingly male cross-section of the Washington elite, sporting power ties and huddling around big tables in red-cushioned chairs. K Street lawyers, advertising executives, and media celebs like David Brinkley dine there, as do present and former White House insiders like Craig Fuller. The regular clientele has also included prominent members of Barry's "kitchen cabinet," such as attorney Lloyd Moore and banker William Fitzgerald, the man who created the Barry administration's first major scandal in 1979 by giving the mayor a low-rate mortgage while Fitzgerald was bidding on a parcel of city-owned land. "Billy" was an important man to know, Clyburn told Carey, and Joe & Mo's was a good place to get to know him. "You know that he's gonna be in Joe & Mo's pretty much every day," said Clyburn, "and, uh, keep the access going is just a hell of an advantage, and show up one evening and send a drink or get a drink, you know, that kind of thing. That's very, very much the way you see us operate. So you can get a lot of mileage out of that . . . and I strongly suggest that you do that."

Clearly, the approach worked for Clyburn. In addition to the passel of consulting contracts his two firms had pulled in from city and federal agencies, he was (and is) involved as a minority limited partner in lucrative development deals with the city. The businessman played tennis with top city officials and called Barry's cabinet members by nicknames like "Touch" (Touchstone) or "Baby" (former City Administrator Elijah Rogers). ("[I]f I tell Touch to go jump off that motherfucking thing over there, he's gonna," Clyburn boasted to Carey.) For his sometime poker partner, Mayor Barry, Clyburn had two handles: "MB" and "Supreme."

The high-profile life had its drawbacks, including scrutiny and publicity. Clyburn garnered plenty of both by getting himself entangled in two particularly sordid chapters of the Barry era. In August 1984, Joanne T. Medina, a publishing executive, took ill after ingesting a deadly medley of cocaine, barbiturates, and booze at a party with top city officials. She was found after the party in an apartment rented by Clyburn, and she died four days later. The city medical examiner resigned soon after the event, charging that Rivers had exerted "political pressure" on the examiner's office to "reevaluate" the case.

That same year, reports surfaced that a campaign worker named Karen Johnson had sold cocaine to the mayor. Johnson pleaded guilty to charges of using and selling cocaine, but she refused to testify before a grand jury investigating allegations that Barry and other city officials used cocaine. Johnson was cited for contempt of court and sent to jail. Three years later *The Washington Post* reported that Johnson said she had been given more than $20,000 in return for not testifying. Clyburn and Roy Littlejohn, a fellow contractor, admitted giving Johnson money but denied that it was hush money. They explained that they were sympathetic to Johnson because she had served a year in prison.

Clyburn parlayed his contacts into contracts for his two firms, Data Processing Institute (DPI) and DISC (formerly called the Granville Corporation). The firms' remarkable array of city contracts included ones for teaching inmates to read, evaluating D.C.'s drug programs, and researching snow re-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

moval. Using his friends in government as listening posts, Clyburn anticipated services that city agencies needed and then submitted unsolicited proposals to provide them. One classic example, reported by the *Post*, was a snow removal contract that a Clyburn firm won in 1982. After learning that two city agencies were under pressure to update snow removal plans, he put his firm to work researching the plans and drafting a 51-page unsolicited proposal to study the plans in greater depth. The city awarded the firm a $200,000 contract. Officials justified the pricey, noncompetitive contract with the bizarre logic that since Clyburn had taught the city so much about its own snow removal plans, it would be "infringing" on his firm's work to draft a request for competitive bids.

Sold man Rivers

Clyburn's most strategically placed listening post was Rivers, who had enjoyed a meteoric rise in the Barry administration. The two men met on a New York shuttle flight. A former budget aide to Atlanta Mayor Maynard Jackson, Rivers was then working in the Carter administration, where he was assigned to help minority businesses navigate the federal contracting system. The two hit it off, and kept up their friendship when Rivers joined the Barry administration as a DHS deputy director in 1981. They gabbed on the phone about sex, the Redskins, and the internal politics of the D.C. government. They also grilled each other for information about DHS contracts.

As director of DHS from 1982 to 1986, Rivers presided over an $840 million budget and some 9,000 employees. During the 10 months before Rivers became director, Clyburn's firms received roughly $100,000 in DHS contracts. But during River's tenure, the same firms received 10 contracts worth nearly $1.8 million from the department. Many of those were "sole source" noncompetitive contracts, awarded at the discretion of Rivers or his subordinates. High DHS officials later informed the FBI that Clyburn had been able to secure DHS contracts because of his close relationship with Rivers. One of the informants said Rivers had personally intervened to secure for Clyburn's company a $200,000 contract to prepare a financial management handbook for the commissioner on public health. The completed handbook was mainly a compilation of information already available to the commissioner.

In addition to his virtual hotline to the director, Clyburn had exceptional access to DHS contracting officials, which meant quick contract processing. According to testimony, two men Clyburn helped get DHS jobs were assigned by Rivers to oversee DISC contracts. One of the men, Michael Davis, was placed by Rivers on a panel to evaluate proposals for an $850,000 substance abuse program in the D.C. public schools. Lo and behold, DISC was awarded the contract.

An old friend who had helped Clyburn get started in D.C. contracting, Davis was on DISC's payroll during part of the time he was employed at DHS, and Clyburn often lent him small amounts of money. Davis kept Clyburn apprised of DHS contracts and acted as Clyburn's messenger in the agency. When JMC Associates, a firm owned by friends of Clyburn's, was in danger of losing its contract, Clyburn asked Davis to speak with Gladys Baxley, a top DHS official who administered mental health programs. "Is there something that you need done with that now?" Davis asked Clyburn on the phone one afternoon. "Tell Baxley to be smart," Clyburn responded. "Tell her to be smart. Leave those people [JMC] alone and give them the money that they want." Davis said, "You got it." JMC's contract was expanded and later renewed.

How did Rivers view his agency's gritty world and the people who lived in it? When Marion Barry gave him his big promotion he expressed his relief to have those unfortunate people out of his face: "I mean I was ready. I ain't gotta worry about all of the welfare shit no more, man. You ain't gotta worry about a bunch of homelessness and pregnancy. Who's got AIDS . . . and all this kind of bullshit."

Clyburn's access also meant information. A former DISC employee testified that Clyburn knew how much the District had budgeted for a 1985 summer youth program before DISC submitted its proposal to run the program. (Contract budgets are typically kept confidential in order to encourage low bids.) DISC won the $724,000 contract.

Another tool for abusing the contract process is the change order, which is used to amend contracts when the city wants to expand a contract or a contractor finds he underestimated his costs in the original bid. Change orders are not competitive and, unless they dramatically alter the original contract, are subject to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

an abbreviated review process. They are a perfect opportunity to gin up costs, as Warren Barge wanted to do with the AAS asbestos contract. On the stand, Rivers admitted that he had signed a form indicating that a contract review committee had approved a $36,750 amendment to a DISC contract, although he knew the committee had not evaluated the proposal.

DISC errors

During the trial, former Commissioner on Public Health Andrew McBride delivered the most explosive testimony of Clyburn's influence at DHS. When McBride was interviewing for his job at the DHS commission, Rivers asked him to meet with Clyburn as part of the selection process. Naturally, McBride concluded that Clyburn was a force to be reckoned with, and during McBride's tenure DISC received $1.5 million in contracts from the commission. When Clyburn recommended that McBride hire Mike Davis as an aide, the commissioner acquiesced, though he thought Davis was not qualified. "Mr. Clyburn had influence over Mr. Rivers, and I could get about anything I wanted done if I brought it to Mr. Clyburn," McBride explained. "If I didn't deal with DISC, it would have been difficult to get some things done. I had to deal with someone influential, and that was John Clyburn."

With all those pricey contracts, you'd hope DISC would at least do good work. Wishful thinking. Two former DHS officials testified that DISC received $360,000 for work that was virtually useless. One product, a survey of drug abuse programs in four cities, bore a striking resemblance to a monograph previously put out by the National Institute for Drug Abuse.

A conversation Clyburn had with a friend in 1986 affirms DHS's reputation as a feeding trough for Marion Barry's allies. At the time, Rivers was being promoted to secretary of the District, and Clyburn had strong thoughts about how Barry should fill Rivers's old post. "MB would have to be the worst politician on Earth to go in and bring somebody in from out of town to head DHS," he said. "I mean that's the whole constituency. That's the political base. . . . That's where all the favors get done."

DHS's *real* constituency couldn't have been farther from John Clyburn's mind. He wasn't talking about the severely retarded people who depend upon DHS for hot meals and places to sleep, or the addicts who crowd the waiting list for drug treatment. He was talking about his buddies, the new boy network.

By the time Len Carey first appeared on Clyburn's doorstep in the fall of 1986, the contractor, apparently worried about the increasing nosiness of the city auditor and the city council, was cooling off his direct contractual relationship with the District government. And Clyburn was chumming bigger waters. At a Joe & Mo's lunch with Carey, the contractor boasted that he had secured $27 million in new business over the past five or six weeks with the Defense Department.

The power broker continued working with Carey and Barge after the AAS contract fell through. Clyburn gave Carey step-by-step advice on how to get B&C Management Consultants certified as a minority business enterprise, entitling the company to bid for "sheltered market" (minority set-aside) contracts: Establish a D.C. office, don't put too much money in the company bank account ("You want to be very modest with your financial statements"), and keep your minority partner as visible as possible.

It didn't bother Clyburn that B&C was a minority front for the white Atlanta fat cat. Barge was 51 percent owner of B&C—the minimum percentage allowed for a minority business—but Carey would actually run the company while Barge roamed the country in search of business opportunities for himself. "Warren's my front man," Carey told Clyburn. "[H]e's my minority partner, and salt and pepper, we do 'em to death."

"Yeah," Clyburn answered. "Just . . . just . . . the only thing you really need to be careful of is not to give anybody the impression in the District that . . . that he's a front. Okay?"

Carey backpedaled. "No, I . . . that was a bad choice of words."

"No, no, that's an excellent choice of words talking to me," Clyburn reassured him. "What I'm saying is that if you're gonna be here more than he's gonna be here, you have to be kind of careful with your visibility out there. Once you get some things landed and you know where you're headed, he's just gonna have to spend more time."

Clyburn wasn't giving Carey all this advice for free. During a conversation in December 1986, Carey laid out an arrangement whereby Clyburn would receive a percentage of every contract he helped bring to B&C. And for every contract B&C won, there was a possible computer subcontract for Clyburn's Data Processing Institute. Other incentives included an apartment that B&C would rent for Clyburn from attorney Lloyd Moore. "When our boat comes in, you gonna get one of the dinghies that goes with it," Carey had assured Clyburn.

"That's cool, too," Clyburn answered.

After Clyburn opened David Rivers's door to Carey for that first meeting in October 1986, the door stayed open. The busy director made time to meet with Carey and chart B&C's bright future. He instructed Carey to send copies of B&C invoices to his

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

personal secretary for speedy processing, and he introduced the agent to senior DHS officials. "Bottom line is, these are my boys," Rivers told his deputy director. "[T]hey are going to be doing a lot of stuff with us. See, if Warren or Lenny call, just take care of them."

Bribe and bribegoon

Rivers and Carey continued to meet after Barry promoted Rivers to secretary of the District in early 1987. Even with his new responsibilities, Rivers kept lobbying DHS officials on B&C's behalf. In one conversation, Carey thanked him for influencing the award of a second $108,000 energy audit contract. And from his new vantage as D.C. secretary, Rivers saw a world of new contracting possibilities for B&C. "Well, I'll just be bringing the deals and telling you what they are," he said, awed by his own power. "You'll just choose the ones you can do. I think that project that you're on right now [energy audits] . . . expand it citywide and you'll be there for life."

Rivers and Clyburn's claims to be champions of minority enterprise are patently phony. Both men knew—and didn't care—that B&C Management Consultants was a minority front company.

The secretary was also looking ahead to his own future, when he would leave D.C. government and cash in on his connections while the Barry administration was still in power. "I figure about three years I could do a little dealing . . . wheeling and dealing . . . and set up a whole lot of stuff," he told Carey over beers at the Channel Inn in Southwest D.C.

"Just be cool about it and then right after you get out, you don't give a fuck what they say. Right?" said Carey. "We'll laugh all the way down to the Bahamas."

"Oh, no question, no question."

The jury ruled that Rivers did not accept any form of bribe from B&C, though no one argues that Carey wasn't offering. In addition to sponsoring the Barry fundraiser, Carey bought Rivers two pairs of iguana skin cowboy boots and a third pair made from boa skin. Rivers loved the boots—"Man, I tell you, you done got me going cowboy crazy," he told Carey. But on the stand, Rivers testified that Barge had agreed to reimburse Carey for the boots if Rivers covered a dinner check.

Equally suspicious was the scheme Carey proposed to Rivers over breakfast at the Colony Square Hotel in Atlanta, where Rivers had gone for a fundraising meeting with officials of the Martin Luther King Jr. Center for Nonviolent Social Change. Expressing gratitude for Rivers's help, Carey told him he planned to invest the profits from B&C's future energy contracts in an office-condo development in booming Gwinnett County, Georgia.

LC: And every city contract, we'll buy another little piece of this place over here.

DR: Uh huh.

LC: And at the end of, you know, end of the time that you're in the government, I know, I know you can't get involved in it right now.

DR: Uh huh.

LC: So you're going to have to simply trust me. . . .

DR: I do.

LC: It's in, all in my name. There's nothing that could ever be linked. . .

DR: Right. Right.

As the conversation winds down, the office-condo development comes up again.

LC: We'll just build it up a little more. . . . When you get ready to get out, we'll sell that thing and have our own money.

DR: Hey, man. Let's do it.

After hearing that and other conversations played back ad nauseam, the federal jury decided that Rivers did not accept a bribe from Carey. Even if that's true, Rivers had a duty as a public official to report Carey's attempted bribes. Instead, he let Carey talk on and on about offshore bank accounts and Georgia real estate deals, clearly understanding what his intentions were.

Rivers claims altruistic motives for his dealings with Carey: He wanted only to help a fledgling minority business get on its feet. But like Clyburn, Rivers knew B&C was only nominally a minority enterprise. Carey laid that card on the table at the Channel Inn. "See, for the realistic view, this is John and I on the side," said Carey. "Warren is my minority front."

"I was born at night, not last night," Rivers replied. "I had assumed that."

Inhuman disservices

Few are the individuals (especially in Washington) who would come off as saints if their private conversations were monitored for a year. But David Rivers

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was no ordinary private citizen. As director of DHS, he was the appointed caretaker of thousands of Washingtonians who depend on city services for their health and survival. No doubt it was a demanding job. In 1986, DHS was presiding over the city's transfer of St. Elizabeths, the nation's largest mental hospital, from the federal government. Under a court order, DHS was also compelled to find new homes in the community for many of the hospital's 1,400 patients. At the same time, the department was buckling under the weight of a public initiative mandating that the District provide guaranteed shelter for the city's growing homeless population. How did Rivers view his agency's gritty world and the people who lived in it? When Marion Barry gave him his big promotion he expressed his relief to have those unfortunate people out of his face: "I mean I was ready. I ain't gotta worry about all of the welfare shit no more, man," he told Carey. "You ain't gotta worry about a bunch of homelessness and pregnancy. Who's got AIDS . . . and all this kind of bullshit."

Not surprisingly, some people who worked directly with the city's needy sensed Rivers's lack of commitment. "I thought his agency did a terrible job of bringing services to the people," says Terry Lynch of the Downtown Cluster of Congregations, a nonprofit group that runs homeless programs. "He was the arrogant king of all he surveyed. He was unapproachable."

Rivers and Clyburn's claims to be champions of minority enterprise are patently phony. Both men knew—*and didn't care*—that B&C Management Consultants was a minority front company. Carey flat out *told* them. In one conversation, Rivers tells Carey to keep B&C structured the way it is, "as long as you control your boy."

When Rivers actually did help a genuine minority business, the Clyburn-favored JMC Associates, one can't help but wonder whether the firm deserved any help at all. In February 1986, JMC won a $216,000 DHS contract to provide beds and case management for mentally ill outpatients. But the firm didn't open its facility until June, and its costs were higher than those of any other firm providing transitional mental health care beds. DHS staff members twice told Rivers that JMC should be dropped from the agency's roster of contractors because of weak performance and high costs. In each case, Rivers overrode his staff and extended the contract.

But suppose Rivers and Clyburn really did want to advance minority firms. The best thing they could have done would have been to leave that job to D.C.'s Minority Business Opportunity Commission (MBOC)—the bureaucracy established for that purpose. Heralded by Barry as one of the greatest accomplishments of his administration, MBOC works closely with the 600 certified firms that are competing for business in this city. To the extent that minority contracting is controlled by the new boy network, it becomes a sad parody of the white-dominated "system" it seeks to correct. There are the same dim rooms and fancy clothes. The same loose talk about women and the same wink-wink, nudge-nudge approach to business. Which presents a greater threat to minority business, a white network that keeps business in its own circle, or a black network that does the same? Either way, the little guy loses.

Brothers in arms

On the day of his acquittal, an emotional David Rivers expressed his relief to the press and said he was "going to get away, take a vacation and reflect. I'm just glad it's over." Throughout his 17-week federal trial, Rivers continued to work for the network. He remained employed as a $79,500-a-year special assistant to DPW Director John Touchstone—"Touch." And the network continued to work for him. In June 1989, employees from D.C.'s Office of Emergency Preparedness (OEP) called about 40 top-ranking city officials to invite them to a $25-a-head party to benefit Rivers's legal defense fund.

Warren Barge testified in *United States* v. *Rivers, Clyburn*, but he was not indicted in the case. Always on the lookout for a fast buck, Barge had landed himself in prison in 1987, convicted of mail fraud in a scheme that involved selling water instead of chemicals to General Motors.

Len Carey has reassumed his real identity, Special Agent Roy Leonard Carol. At least for a while.

John Clyburn faces two more juries. This fall, he and former HUD official James E. Baugh will answer to charges of bribery and conspiracy to steer HUD contracts to a Clyburn firm. And Clyburn and Porter Bankhead are charged with conspiring to steer a city computer contract to Bankhead's Systems and Applied Sciences Corporation.

But the acquittal was no small victory for Clyburn, and that evening he received a hero's welcome at Joe & Mo's. Proprietor Mo Sussman had promised Clyburn a party when he was acquitted, and Mo made good. The champagne flowed in a room crowded with Clyburn's friends from the new boy network. Marion "Supreme" Barry made a splashy appearance, as did Elijah "Baby" Rogers and Ivanhoe Donaldson, who had walked after serving three years of his seven-year sentence and was now back with his old friends. As a show of new boy solidarity, Clyburn threw an arm around Donaldson.

"Brothers in the same lodge," he declared. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

TIDBITS & OUTRAGES

THE FEDERAL WITLESS PROGRAM
The United States Attorney's office in Pikeville, Kentucky mistakenly released years' worth of information about informants, sealed indictments, and federally protected witnesses when it sold a businessman old computer equipment containing unerased files.

AND DON'T ASK WHY THE CENSUS BUREAU IS STOCKING UP ON MUSTARD GAS
As part of its study of the fish population in the Muskegon, Au Sable, and Manistee rivers, the Michigan Department of Natural Resources put poison in the three rivers, killing 2,400 of the fish it was trying to count.

DESCRIBE MYSELF?
WELL, I HAVE A ROOMMATE AND I'M WEARING STRIPES AND . . .
Inmates at a county jail in Leesburg, Florida ran up a $20,000 bill calling phone sex services.

THAT'S THE SPIRIT
Just days after the Persian Gulf crisis hit, the Allstate life insurance company adopted a new rule: It's now rejecting all applications from military personnel shipping out to the Middle East.

WOULD YOU BELIEVE WE WERE JUST FILLING IN FOR ALLSTATE?
The General Accounting Office recently discovered that the Veterans Affairs department has been sending benefit checks to more than 1,200 dead veterans—including 100 who've been dead for 10 years.

THE RIGORS OF REPORTING
In a column on life in Baghdad after the imposition of United Nations' sanctions, Rowland Evans and Robert Novak drove home the severity of the situation this way: "With rising inflation, a bottle of middling French wine, Longchamps rosé, priced at 44 dinars, costs $145.20. We paid."

QUEL DUMBAGE
After distributing 180,000 copies of its newest dictionary, the French publisher Larousse discovered that it states that the most deadly wild mushroom in France and two other highly poisonous varieties are safe to eat.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Doctored Results

How drug companies bribe doctors and medical journals

by Alexander Kippen

In the sunny television world of "Trapper John, M.D." and "Marcus Welby," the patient's needs and interests are paramount. Nurses are pretty and altruistic. Doctors are gentle but strong, driven to fight disease (and immorality) with unyielding vigor. In the end, good beats evil, and the patient turns out fine, back in his street clothes, smiling. Maybe your doctor is just like Dr. Welby. Then again, maybe he's more like Dr. Jekyll. The real medical world is full of shady compromises and ethically dubious deals that you, the patient, are likely never to hear about—but in which your health is the key bargaining chip.

Let's say your doctor has just recommended that he cut you open and pull out an organ. Wouldn't you like to know that part of his reward for eviscerating you will be a shiny new office fax machine? If your doctor is prescribing a new hypertension drug for you, wouldn't you like to be told that the makers of that drug have been fixing him up with willing women? Wouldn't it make you a little antsy to discover that your Marcus Welby is hooked on drugs—and to learn that all along only he and his dealer (a major pharmaceutical corporation) knew the dirty little secret? These are all only *apparent* conflicts of interest. But if your doctor is human enough to accept drugs and dates from a pharmaceutical company, chances are he's also human enough to do the company some favors in return. And chances are that if you knew about the shady deals, you'd go hunting for a second opinion. Five out of five patients surveyed agreed that would be a good idea.

Thanksgiving and Christmas just aren't the boon to the medical business that they are to the rest of the commercial sector. So on November 8, 1989, Leyden Community Hospital in Northlake, Illinois presented its doctors with a "Holiday Surgery Scheduling Incentive Program." The vice-president of surgical services issued a memo lamenting the "anticipated decrease in the number of surgeries historically performed during the holiday season." He held out some hope, though, that this year could be different. Was Leyden going to offer special low rates on cataract surgery for the indigent elderly? No—special rewards for doctors. The memo promised that "any physician who performs 10 major surgery cases between November 23, 1989 and January 31, 1990 will

Alexander Kippen is a contributing Washington reporter for CNN and Canada's Global Television Network.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be entitled to their choice of one of the following promotional incentives: a) an in-office fax machine, or b) a portable cellular telephone." The vice-president defined "major surgery" as any operation performed on a patient under anesthesia. With a little luck, people would soon be going under the knife right and left.

But the plan was foiled. In late December, an item in the *Chicago Tribune* mentioned the promotional offer, and Leyden quickly withdrew it.

Only a leak to the newspaper stopped the scheme, points out Dr. Sidney Wolfe of Public Citizen, the consumer watchdog group started by Ralph Nader. The hospital's administrators didn't have the ethical sensitivity to realize it was wrong. "The Powers That Be said 'It's fine,'" says Wolfe, a 19-year veteran of battles against medical fraud and overpriced health care. "It's an insight into what these people are willing to do to bring in big bucks." If conscience isn't keeping Leyden's administration in line, neither is the law. Michael Manning, chief spokesman for the Illinois Department of Professional Regulation, calls the hospital's offer "tacky" but not illegal.

After Leyden withdrew its offer, a lawyer for the hospital insisted that the promotion was an isolated and unauthorized incident—the stock explanation for organizations caught red-handed making a bribe to manipulate health care. Dr. Tom Preston, a Seattle cardiologist who has studied and written on medical ethics for more than 20 years, says that the bribery game is routine throughout the industry. "As soon as someone comes into medical school it starts." Salesmen from drug companies and representatives of medical equipment manufacturers buy students things like medical textbooks, doctor's bags, and their first stethoscopes; they even foot the bill for spring break beach trips, all in an effort to ingratiate themselves at the dawn of doctors' careers. According to Preston, "It's early, pernicious, and pervasive."

Drug fiends

Some of the most questionable back-room deals can be found in the world of pharmaceutical sales. Last fall, doctors at the Aspen Clinic in St. Paul, Minnesota, were invited to take "The Calan SR Challenge" by a local saleswoman from the G.D. Searle company, manufacturers of a high blood pressure drug called Calan SR. At first glance, the challenge is simply the old "satisfaction or your money back" deal. Victor Kiam in a white coat.

Mary Grosenick, known as a "detailman" in the jargon of drug salespeople, mailed a preprinted Searle promotional sheet to clinic doctors, outlining the challenge: Prescribe Calan SR to 20 newly diagnosed hypertension patients by the end of 1989. If by March 15, 1990, "any patient is not controlled to your satisfaction," Searle would refund the total cost of the drug to the patient. In open spaces provided on the sheet, Grosenick typed in a further reward—this time for the doctor. Doctors hooking those 20 new patients on Calan SR would enjoy their "choice of the following options: 1) Dinner-for-two certificate; 2) Minnesota Timberwolves tickets for games on January 26, March 10, or April 15, 1990, and 'pregame warm-up' that will include food and beverages." Grosenick invited doctors to call her personally to accept the challenge.

If your doctor is prescribing a new hypertension drug for you, wouldn't you like to be told that the makers of that drug have been fixing him up with willing women?

When a local newspaper shined a spotlight on the deal, it was swiftly canceled. Searle was predictably contrite. Laura Leber, a company spokeswoman, called the offer "a single isolated incident involving one sales rep . . . who was reprimanded"—but who still works for Searle. Leber says Searle "has a written policy that we do not offer any enticements in any way" to doctors. But in explaining herself to the St. Paul *Pioneer Press*, Grosenick said she was surprised by the reaction. Usually, she said, "doctors want something in return" for listening to detailmen. Grosenick claims the dinner and the games would have provided perfect opportunities for her to describe the wonders of Calan SR. And, she says, they would have answered doctors' usual question: "What's my reward?"

According to one Washington doctor interning at a trauma center, detailmen can be quick with an answer to that question. After being offered a number of free pizza lunches by a detailman, the doctor warned, "You're not doing enough for me . . . you get little pizzas. I want steaks, then maybe I'll buy your drugs!" The next week the detailman offered to take the doctor to Morton's, a local steak house.

A marketing employee with a major pharmaceutical company in New York stresses the subtlety of relations between company administrators and detailmen. Administrators, he says, "would never be stupid

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

enough to tell detailmen to bribe doctors." Instead, they create a very competitive atmosphere in which sales quotas are emphasized and methods ignored. This way, the company "can turn a blind eye to marketing tactics unless someone gets caught. Then the detailman can be the problem, a single isolated incident."

Similarity breeds contempt

Dr. Wolfe blames the unsavory reward game on "grisly competitiveness." The problem is that there are too many companies with too many drugs that do virtually the same thing. The result, says Wolfe, is that drug companies "try to compete on something other than the merits of their products."

There are many so-called "me too" drugs that are slightly different in molecular structure but perform the same function. A handful of high blood pressure drugs fall into this category. In addition to Calan SR, that handful includes an older drug called Inderal, produced by what is now the Wyeth-Ayerst Company in Skokie, Illinois, a subsidiary of the firm that makes Anacin.

In 1984 Inderal's manufacturer lost its patent on the hypertension drug, known generically as propanolol. In an effort to stay competitive with cheaper copies of propanolol that came on the market in 1985, Ayerst developed a slightly different version called Inderal Long Acting Capsules. The pitch was that Inderal LA, as it became known, released gradually, meaning that you didn't have to take as many doses. The company launched an aggressive marketing campaign aimed at doctors.

Ayerst mailed doctors a four-page package stamped "Patient Profile Program." Under the Ayerst trademark on the cover page was a slogan that would prove ironic: "Serving the medical profession with ethical pharmaceutical products."

Ayerst gave doctors *preprinted* Inderal LA prescriptions that patients could trade in at pharmacies for a free two-week supply of the drug. The doctor was asked to list details about the patient and his treatment on an Ayerst form. Now comes the tricky part. According to the offer, the doctor would win points toward an Ayerst reward for every patient profile that accompanied a prescription for Inderal LA. In return for 50 patient profiles, Ayerst promised that "you and a companion can fly to American Airlines destinations in the continental United States, Hawaii, and the Caribbean. If you prefer, you may use your accumulated program points to receive diagnostic equipment of the highest quality or the latest editions of important medical texts."

This pitch was uncovered in Rhode Island, but it could be legally challenged only in Massachusetts because Inderal is offered on that state's Medicaid list. With state funds covering potential Inderal LA purchases, there were grounds for prosecution under the state's "Bribes and Kickbacks" statute. Massachusetts Assistant Attorney General Marek Laas led the fight against Ayerst. "The issue to us was to set an example so that other drug companies would stay clear of this sort of offer," he says. After more than 18 months of negotiations, Ayerst settled out of court, paying the state $195,000 in damages. Laas says he wanted the fine to be punitive but had to be careful not to push too far, since in Massachusetts, as in most states, the laws governing cases like this are so vague.

A Wyeth-Ayerst spokesperson admitted that participating physicians received "honoraria" but stressed that "no honoraria were awarded based on prescriptions written by physicians for Inderal LA." Of course not: As Laas points out, the doctors just handed out forms—they never had to set pen to paper. In further defense of the scheme, the spokesperson argued that physicians and patients "were free, at any time, to discontinue use of Inderal LA . . . and such discontinuance in no way affected the availability of honoraria." But when all the drugs are pretty much the same, who's going to bother to switch? More troubling, Ayerst doesn't mention that dramatically slowing or stopping use of Inderal can be dangerous. A sudden drop in the Inderal dosage taken by Hank Gathers, the Loyola Marymount basketball star, is being blamed for his death at age 23 during a game last March. The Food and Drug Administration is now looking into whether Ayerst's special deal broke federal laws.

Supplemental income

Not just drug companies and doctors are being tainted by these sorts of scams. More than a dozen respected medical journals now print what are known innocuously as "supplements"—veiled drug company advertising that demonstrates how intricate the medical influence racket can be. A supplement—a magazine printed separate from but very similar in appearance to its parent medical journal—is a compilation of information presented by doctors at any of the numerous symposia held around the country, usually at a drug company's expense.

The problem isn't really that many doctors take the supplements seriously when they're first printed. (Although there is some evidence that they do. In a 1982 study by a Harvard Medical School doctor, a majority of doctors surveyed—all of whom claimed to be uninfluenced by drug advertising—rated two drugs, which had been judged inferior in the scientif-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ic literature, *equal to or even better than* competing, superior drugs. According to the survey's analysis, their conclusions could have been based only on company claims, not independent research.) The influence of the supplement process is a little more complicated—and a lot less subtle—than that.

The trouble starts at the symposia. Typically, a symposium is held over a weekend at some plush retreat at a cost to the drug company ranging into the hundreds of thousands of dollars. A drug company will fly in doctors late Friday afternoon and kick off the weekend with a cocktail party, followed by a dinner featuring some sort of entertainment. On Saturday, some of the doctors will present their research before those gathered, who may number anywhere from a handful to thousands. After the presentations come another dinner and more entertainment, and Sunday afternoon the doctors are flown home, having not spent a cent. "They'll take you to New Orleans," says one doctor, "take you on a river boat queen, with a full jazz band and all the great food and booze you could want. But I don't hear of any symposiums being held in downtown Buffalo in January."

Let's make a deal

In defending the symposia, drug companies point to the educational benefits of bringing doctors together to discuss their research. They don't bother to mention how the symposia serve as the starting point for what becomes a devious promotional strategy.

For starters, detailmen work the crowd, homing in on doctors known to prescribe a lot of drugs. "I would look for the heavy hitters" says Jody Perez, a former Texas detailman for Johnson and Johnson's pharmaceutical subsidiary, McNeil Laboratories. Perez quit in 1982, disgusted after one year on the job selling a painkiller called "Zomax." Before being banned in 1983, Zomax, according to the FDA, led to at least 14 deaths and more than 400 life-threatening reactions like respiratory trouble and kidney disease.

Once Perez had scoured a symposium for prescription-happy doctors, he would use one of several gimmicks to win them over. For example, he'd hold a contest to see who could guess the number of pills in a jar. Having settled on the target, "I'd make sure he won first prize." It was easy to rig the game. If the target doctor guessed 239 or 378 pills, who was to say he was wrong? Perez would simply declare him the winner and deliver the prize, which might be a camera, a pen and pencil set, assorted cheeses, or—best for Perez—dinner for two at "the fanciest restaurant in town." Perez would now be close enough to fill him with what he called "propaganda" about his company's drugs.

At the symposia, Perez followed the same rules he used when making regular visits to doctors in Texas: "Hit 'em fast, hard, and continuous" until they warm up to the detailman and whatever he's selling. "I'd find out what their hot button was." That hot button ranged from alcohol to boxing tickets to women. Perez said he kept a list of nurses, secretaries, receptionists, and others who were happy to go out for a night of dinner, drinks, and possibly sex with a doctor visiting town.

One married, middle-aged Texas doctor with three kids used a code whenever he wanted women from Perez. "He'd ask, 'What's on the agenda?'" says Perez. At one symposium, Perez met a San Antonio doctor, also married with children, who was more direct. Perez remembers him saying: "Let's go party . . . where are the chicks?"

Another item high on many doctors' lists, ironically enough, was high-potency drugs for their own recreational use. Since relying on the hospital's dispensary for these is risky, doctors came to count on Perez instead. He recalls that many favored McNeil's prescription Tylenol IV because it contained a full gram of codeine. Doctors especially liked it in liquid form, since they could then mix it into their drinks. Perez said he would have McNeil send free samples directly to doctors' homes. While out to lunch or dinner with a doctor, he'd ask, "'Do you want any juice for your coffee?' They'd say, 'Yeah, do you have any on you?' I'd say, 'No, but I can get you some.' . . . It was just another way we could become buddies." If you come through often enough, Perez says, "you're their candy man."

Once he'd earned a regular customer, Perez would send the doctor's name and background information along to McNeil corporate headquarters in Springhouse, Pennsylvania and—presto!—the doctor would turn up on the list to promote company drugs at the next symposium. It's a blatantly apparent conflict of interest for a doctor to get cozy with a drug company, ride on that company's tab at a symposium, and then turn around and present his opinion on that company's drug in a supplement. But it happens all the time.

So why do respected journals go along with the scam? Money. Supplements to *The American Journal of Medicine* and *The American Journal of Cardiology* (the industry's most prolific supplement printers) bring in $1,500 and $1,300 per page, respectively—and they range from 50 to several hundred pages.

In 1982, staff members of *The American Journal of Cardiology* split to form *The American Journal of the College of Cardiology* partly because the former decided to begin printing supplements. *The New*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

England Journal of Medicine also refuses to print supplements. Arnold Relman, the recently retired editor in chief, calls supplements typically "weak in science" and says "an author who's written a good piece doesn't want it in a supplement if he can get it in a peer-reviewed journal." The system of peer review distinguishes scholarly writing from high-priced propaganda. According to Relman, articles submitted to *The New England Journal of Medicine* must—unlike those submitted to supplements—pass through a seven-step editorial process that includes one or even two stages of examination by a group of "associate editors" selected for their expertise in the topic at hand.

YOU CAN HELP

Sometimes it's easy to forget how much *The Washington Monthly* depends on its readers. Our Memos of the Month come almost entirely from you. Clippings from your local papers inspire many of the items in "Tidbits and Outrages" and "Tilting at Windmills."

Readers help us in countless other ways, calling with tips for stories, giving their friends subscriptions, or just making sure we're on the shelves of their local newsstands, libraries, and bookstores.

Thanks!

As Relman points out, if the material printed in supplements is untainted by drug company influence, why wouldn't a magazine like *The American Journal of Medicine* print that research in one of its regular monthly editions that do require peer review? Why wouldn't the authors of the supplement insist on the more thorough treatment?

In addition to their array of material enticements, detailmen often include supplement excerpts in the bag of goodies they bring to a doctor's office when pitching pills. In case a doctor has any doubt about the effectiveness of the drug in question, the detailman can pull out an impressive-looking article on the subject, copied from a supplement. While the supplement itself carries fine print on the inside title page acknowledging its sponsor, there is rarely any such indication given in the supplement's dozens of articles. Dr. Barry Massie of the University of California, San Francisco says, "When someone sits in your office and hands you a reprint, it's hard to tell the difference" between it and a peer-reviewed article. In fact, says Perez, the former McNeil Laboratories detailman, "Most physicians depend on detailmen and what the drug company tells them." One defender of supplements, Kenton Finch, the vice-president and publisher of both *The American Journal of Medicine* and *The American Journal of Cardiology,* says that few doctors have time to swim through all the medical information flowing from clinical research. "A lot of doctors are not aware of what's coming down the pike." Supplements, he says, "make it easy" to keep up with the latest drugs.

Hippocratic hypocrisy

The thicket of medical kickbacks and drug overpricing driven by doctor and drug company greed takes its toll on the healthy as well as the sick. The most recent figures show the United States spent more than $500 billion on health care in 1988. That was a record 11.1 percent of that year's GNP—the highest proportion in the world. Canada spends about 8.6 percent of its GNP on health care. Financial burdens like escalating malpractice insurance premiums share much of the blame in the U.S., but also contributing to those costs is the toll exacted by dishonest health merchants.

Unlike the bright fictional world of heroic medicine, much of the real medical world is fraught with questionable sales gimmicks. "This is saying that a person's health is no different than a car," says Dr. Wolfe of the high-pressure sales techniques. Unfortunately, in the real medical world, "you are making decisions for patients, not based on what's best for them, but on what's best for you." □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New Weapons, Old Problems

In Panama, the Air Force's stealth fighter mistakenly bombed a basketball court and a saloon. Will it do any better in Iraq?

by Scott Shuger

Two weeks into the Iraq crisis, George Bush played a military card no president had ever played before. He stationed a stealth aircraft—the F-117 stealth fighter, his newest and most glamorous weapon—overseas. Twenty of the aircraft were deployed to Saudi Arabia—fully one-third of the Air Force's operational stealth planes. The move was clearly designed as a major escalation against Saddam Hussein: Breaking with its practice of confirming the departure of forces only after they leave their U.S. bases, the Pentagon announced the move well in advance, and one defense official told the *Los Angeles Times* that positioning the planes in the Middle East gave "the president an option of making Iraq pay a significant price on some pretty significant targets."

Now, suppose you were a reporter for your favorite monthly magazine of politics and government and that in light of this development, you were trying to find out some basic information about the F-117. I mean basic—say, whether it's any good at bombing. You're not asking how big it looks on radar or if there are certain Iraqi radar systems that can detect it. You're asking about something that has nothing to do with stealth. You're asking about one of its main missions. It doesn't matter; you're in for quite a morning. Timewise, running down information about the stealth fighter is right up there with asking to fly one.

After you've called the Office of the Assistant Secretary of Defense for Public Affairs and then the Air Force Chief of Staff's office and have been transferred to the Air Force Office of Public Affairs and from there to the Operations Division and then over to the Tactical/Conventional Branch, you will eventually find yourself talking to Capt. Susan Strednansky, the public affairs officer who deals with questions about the F-117. She doesn't necessarily deal with answers. Your conversation with her might go something like this:

"Where does the F-117 stand as a bomber relative to other things in the inventory? Is it more accurate than the A-6E or the F-15E?"

"First of all, it's not a bomber. It's a fighter, technically speaking. But it's been designed specifically to attack at night and hit with a pinpoint accuracy. So if you look at the mission it's been designed for, yes, it's the best machine for that particular mission."

"So it is true that it's considered more accurate for that mission than the other aircraft?"

"I don't want to start comparing them to the Navy, because I don't know anything about Navy aircraft. But as far as the Air Force inventory is concerned,

Scott Shuger is an editor of The Washington Monthly. *Research assistance provided by Margaret Gray and Patrick O'Rourke.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

it's been designed to attack at night with pinpoint accuracy and for that particular mission it is the best aircraft."

"But that does include the F-111?"

"Well, see"—there's a long pause here—"sure. The technology is better, it's a newer aircraft, and the advantage is that the F-117 has been designed to penetrate dense threat environments. And it has the night capability."

"Because of the FLIR [forward-looking infra-red detection system]?"

"It has the night capability."

"Was that FLIR built for that aircraft?"

"I have nothing on that."

"Does the F-117 have a radar?"

"I have nothing on that either."

When it comes to finding out about black programs like stealth—finding out if they work well enough to be worth their tremendous cost, even finding out what that tremendous cost really is—the Pentagon's Capt. Strednanskys are considerable obstacles. (The Air Force has 1,772 public affairs specialists—that's one for every four planes it owns.) That's why it's a good thing there are still journalists like Michael Gordon.

Panamanian Hato trick

Last Christmas Eve the world learned that the week before, the U.S. had used its ultra-secret F-117s in combat for the first time. *The Washington Post* broke the story that moments before Ranger paratroopers landed at the Rio Hato airfield as part of the invasion of Panama, two stealth fighters dropped bombs near two barracks buildings in order to stun and confuse the Panamanian troops housed there. In his initial description of the air strike, the Pentagon's chief spokesman, Pete Williams, said that the "bombs hit their intended target," and that "the Rangers landed with no opposition." Secretary of Defense Dick Cheney originally credited the mission with "pinpoint accuracy." Based on these official statements, the news media widely reported a refreshing contrast to such past events as the raid against Libya and the Iran rescue attempt: In Panama the paradigm of our very expensive military technology had performed flawlessly.

To be sure, some skeptical voices were raised. In a Panama score sheet appearing in the *Post* just days after the invasion, military analyst Edward Luttwak described the F-117 mission as "totally unnecessary." Rep. John Murtha, chairman of the House Appropriations subcommittee on defense, was told by a Ranger who participated in the drop at Rio Hato—and who was recovering from wounds he received there—that the stealth raid had not completely suppressed Panamanian fire against the incoming paratroopers. Murtha raised that issue with Secretary of the Air Force Donald Rice and then-Air Force Chief of Staff Gen. Larry Welch. And Rep. Les Aspin, chairman of the House Armed Services Committee, upon returning from a trip to Panama shortly after the fighting was over, worried that the mission was based not on military considerations but on the desire to boost the imperiled budget prospects of stealth aircraft like the B-2. (This wouldn't have been the only occasion when military rules were bent in the attempt to woo Congress on stealth. There was, for instance, the time two busloads of congressional staff members without stealth clearances were taken out to Andrews Air Force base for free beer, hamburgers, and hot dogs, and a chance to get a very close look at an F-117.) "It looks to me like it's show biz," said Aspin. "Basically, not to be too facetious, we were trying to miss the building. We have lots of planes that can miss buildings. There's no question there could have been other planes chosen."

In the face of these worries, the Pentagon provided nothing but comfort. Murtha was assured by the Air Force that the mission had gone off fine. And even though the Panamanian air force had no fighters and there was no radar at Rio Hato, the charges of "unnecessary" and "show biz" were met by continuing to insist that the stealth fighter's use was justified by its bombing accuracy. After a tour and briefing at Rio Hato, Senator John Warner of the Senate Armed Services Committee stated, "We were told, and I concur, that this piece of equipment is the best. Perhaps another piece could have done a fair job, but we did not want to risk collateral damage."

The episode fit the mold of many a Pentagon story. On the one side you had the Pentagon's turbocharged public affairs engine turning at max rpms to put out the official version, and on the other, you had a few stray reservations starved for facts. Enter *The New York Times*'s Michael Gordon, a reporter with persistence—and a camera.

Foul shots

Shortly after the shooting stopped in Panama, Gordon—who's been at the *Times* since 1985 and who last year helped break the story about West Germany's role in building Libya's chemical weapons plant—went down there for a week. "I had already interviewed the Rangers at Fort Benning," he recalls, "and they told me that they were shot at getting out of the airplanes. So I knew that the initial account that the stealth fighters had dropped their bombs and scared off all the troops and that the Rangers had

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

landed unopposed was wrong." (Indeed, a pilot of one of the cargo planes carrying the Rangers told *Air Force Times* that he thought the small-arms fire raking his plane came from troops who'd been brought to full alert by the bomb blasts.) On his last day in Panama, Gordon got the opportunity to go to Rio Hato. Once there, he asked to see the craters left by the stealth fighters' bombs.

"We had been told by Gen. Stiner"—the invasion task force commander—"that the bombs were to have landed 150 meters from their targets and all you had to do was look at the craters to see that one appeared to have landed too close and the other appeared to have landed too far away. One was about 17 feet away. And the other crater was on a hillside overlooking a basketball court, way off target. The point is that you don't have to be a military genius to figure out that where these craters were didn't bear any particular relationship to any particular target."

Air Farce

Gordon had brought his wife's camera with him. "I think it was an Olympus. I'm not a very good photographer. I almost exposed the film by mistake. I took pictures of these craters. I brought them back to Washington and showed them to a variety of people. I said, 'This thing didn't quite do the trick.' And they said, 'Oh no, we've been assured by the Air Force that it was fine.' This went on and on. Everybody had received the same explanation from the Air Force."

Gen. Stiner finally admitted to Gordon that one of the bombs had fallen too close to its aim point. But when Gordon asked why, the general replied, "Go ask the Air Force."

"So I went to ask the Air Force. That wasn't very successful. They wouldn't talk about it and they invoked considerations of classification, which in reality was just a disinclination to talk about it. I never got in the front door there."

At the same time that Gordon was getting stonewalled, the Defense Department was preparing to partially unveil the F-117. After more than 10 years of near-total cover, plans were being made for a Pentagon briefing featuring a videotape and still photographs of the plane as well as fact sheets and partial cost figures. This development prompted Gordon to ask many people in the Pentagon a pointed question: "How can you do that and yet refuse to answer any questions whatsoever about the F-117's first operational mission?"

As the briefing to unveil the stealth fighter approached, Gordon let it be known that he intended to write a story to the effect that, while the Pentagon says the stealth fighter hit its target, here's evidence it didn't. "I thought at least if I put it out before the briefing," Gordon explains, "at the briefing everybody would ask about it. And that would force it out into the open.

"At that point people in the Pentagon—*not* the Air Force—became more responsive. I would go to interview somebody and they would say, 'It happened this way,' and I'd say, 'No it didn't, here's the photo.' And they'd look at it and they'd say, 'Hmmm, could I borrow that for a while?' Finally, because of this, the Pentagon ordered someone to go down to Panama and take measurements of the goddam craters, which they had never done before. Which I find astounding. The first time this aircraft had been used in a combat situation and nobody had bothered to measure on the ground to see how it performed!"

The day of the unveiling briefing—over three months after the bombing mission—the Pentagon told Gordon what its ground measurements revealed: a flawed mission. It was the same day Cheney and his spokesman Williams found out. Gordon's subsequent story revealed that because the lead pilot forgot about the change in plans driven by the prevailing winds at the target area, the first aircraft dropped its bomb about 60 yards from the barracks that was supposed to be the near-target for the second plane—and only five yards from a cantina. And as a result of this mistake, the second pilot, who was keying off the lead plane, dropped his bomb 300 yards away from the barracks building he was supposed to almost hit.

At last we had a translation of the technical phrases the Pentagon used in assessing the stealth fighter's first combat performance: "pinpoint accuracy" means missing one target completely, and limiting the "risk of collateral damage" means blowing up a saloon. (Tony Capaccio of *Defense Week*, who also visited the target area, reported that the second bomb left a third, empty barracks standing, but generated a fireball that completely incinerated its interior—thus raising another question about the "stun but not destroy" concept of the mission.)

As the Pentagon's story fell apart, Gordon discovered other chinks in the mission. He found out that the Rangers went into battle thinking that the stealth fighters were going to bomb the barracks, not just try to hit near them. It turned out that this was the initial objective, but it had been changed orally by senior planners without informing the Rangers. Moreover, although Chairman of the Joint Chiefs Colin Powell, Gen. Stiner, and the Air Force planners all knew that the goal was only to hit near the buildings, they each had in mind a different distance.

Gordon's story prompted Cheney to order an inquiry by the Air Force inspector general into why the Air Force failed to inform him about the true results

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the stealth fighter's mission. Gordon later wrote that the report indicated that the commanding general of the Tactical Air Command (TAC) knew the truth about the bombing shortly afterwards, but that the only word up the chain from TAC was that the mission was "fully successful." According to Gordon, the report also stated that the F-117 pilots switched from intending to bomb the barracks to bombing near them only two hours before take-off. Additionally, the IG reported that a contributing factor in the inaccuracy of the bomb delivery at Rio Hato was that the pilots had not trained in the same weather conditions they encountered in Panama, weather conditions that affect the use of the plane's targeting systems.

Prior to Gordon's stories, the Pentagon had consistently emphasized the technical bombing precision of the F-117. But in doing that and little else, defense officials suppressed an important dimension of weaponry. Neither Gordon nor anyone else has shown that the bomb guidance system of the F-117 is technically unsound—that under ideal and controlled conditions, it cannot deliver bombs accurately. In short, at this date there is no reason to doubt that in a *brochure, laboratory sense*, the airplane is an accurate bomber. But there is a world of difference between that notion and *operational* accuracy, which is the accuracy achieved by a system when it is subjected to the "fog of war.". In the case of the F-117, the Pentagon didn't own up to that difference. Gordon had to ferret it out.

The emperor's stealth clothes

Truth doesn't thrive unassisted in large bureaucratic organizations. That goes double for large military organizations, with their rigid chains of command and obsession with classification. The stealth programs, wrapped as they are in technical mystery and pampered by lush budgets, are the extreme example.

How extreme? Well, two longtime Pentagon scientists recently offered a striking explanation for why there is such poor information flow about stealth: it doesn't work. "To fly, an airplane has to disturb the air," said one, a man with 38 years' experience with radar. "Turbulent air is a good radar target. The plume from a jet is an excellent radar target at the lower frequencies. It used to be obligatory to say that the SR-71 was stealthy, but I worked for the FAA for 10 years and it was the biggest target we ever saw. I suspect that with a low frequency radar you could see the F-117 very nicely. But I don't have access to test results. I'd particularly like to see some tests against the typical Russian search radar, which is very low frequency. . . . I'm sure the FAA has seen stealth planes, but the FAA is kind of a paramilitary organization, and if they tell the controllers not to say anything, they won't say anything." The other expert agreed with the SR-71 point and summed things up this way: "Talking about reducing the radar cross-section of an airplane means with respect to a radar that's nose-on. Well, suppose you've done that. That means you can be stealthy to one radar that you're flying straight and level right at. But what about all the other radars along your flight path? And the best way to get shot down is to fly straight and level."

"A lot of times the black programs get away with things that should be scrubbed out or at least debated," states a former high defense official. "When I first came into the 'building,' I made it a condition that I would be briefed on every black program in my area of responsibility. And my bosses all agreed, but the problem with that is, how do you know when you're briefed into them all? I kept finding new ones. I'd come up with an idea and say, 'You know, we ought to be doing this,' and they'd say, 'Wait a minute,' and they'd close the door and say, 'Hey, there's a program on that you've got to be briefed on.' I'd throw a little bit of a temper tantrum and say, 'Wait a minute! I thought I was briefed in on *all* these programs!' And they'd say, 'Well, this one is a little bit different . . . '."

Tales like these suggest that the stealth programs may just be the most truth-proof organizations ever put together. A disturbing example: Although congressional aides with no need to know have been treated to tours of the F-117, the crews in the airborne tankers supporting the planes on their flight to Saudi Arabia were not issued data sheets on the fighter's refueling characteristics. And as one Pentagon analyst put it when discussing the Rio Hato raid, "The good news went up on a rocket booster and the bad news had to go through the sludge." Rio Hato was proof, he said, that "the basic diseases of Vietnam—the manipulated body counts and infiltration rates, etc.—are still in place." Another sign of this came earlier this year when, after DOD conducted a three-month review of the Navy's proposed stealth plane, the A-12, Secretary of Defense Cheney endorsed continued funding of the aircraft—only to be told for the first time just days later that the highly classified program was having problems serious enough to delay its production up to a year. Maybe that's what they mean by stealth.

You can never overestimate the stealth world's tendency to frustrate outside scrutiny. Even after Cheney found himself dispensing less than the whole truth about Rio Hato, his chief spokesman Williams defended the Air Force by saying it was only natural that nobody volunteered that one of the bombs was

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This Holiday Season, Give Them Frankness, Sense, and Mirth . . .

The Washington Monthly

Yes, I want to give *The Washington Monthly*. I am enclosing $20 (for new subscribers only) for the first one-year gift subscription, and $15 for each additional gift subscription.

☐ $_____ enclosed ☐ Bill me later

Charge my: ☐ VISA ☐ MasterCard

Account Number _____ Expiration Date

Signature _____

My name _____

Address _____

City _____ State ____ Zip _____

GIFT SUBSCRIPTIONS:

1 Name _____
Address _____
City _____ State ____ Zip _____
$20 Gift card message _____

2 Name _____
Address _____
City _____ State ____ Zip _____
$15 Gift card message _____

3 Name _____
Address _____
City _____ State ____ Zip _____
$15 Gift card message _____

70A501

THE WASHINGTON MONTHLY 1611 Connecticut Ave., NW, Washington, D.C. 20009

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

off target because it still fell where the pilot aimed it. That is, even after DOD discovered that the F-117's operational accuracy was considerably less than its technical accuracy, it was still disingenuously conflating the two. "Nobody asked," Williams observed lamely, "if they were aimed in the right place."

Runaround Sue

And remember that inspector general's report that Cheney requested in the wake of Gordon's story about Rio Hato? The one that among other things chides the Air Force for poor information flow? Well, guess what . . . it's *classified.* Gordon doesn't have a copy, and to any reporter who tries to get one, best of luck. When I tried, I eventually found myself once again on the 976-STEALTH line with Capt. Strednansky:

"There is no releasable document available. The inspector general reports are protected, and therefore not releasable. That's an Air Force regulation, I don't know if I have that number handy, but basically it's to protect the witnesses and the people who contribute to these reports."

"So it's not classified, but it's protected?"

"No. It's protected. Also, this particular report is highly classified, as a matter of fact. Most of it is classified Special Access Required. I don't know if you are familiar with the classification. That's even higher than just Secret."

"But for instance if you took the parts out that have anything to do with national security . . . ."

"Well, yeah you could do that, but I'd hate to give you a percentage of what you'd have. You'd have mostly black lines. But the report as such is just protected. Didn't you talk to Col. Buttimer about that? It just makes common sense that when you go into a review—this was not an investigation or an accident report, by the way—you have people there who have to testify, so you protect them."

"What if you just blacked out their names?"

"It's not just the names, it's the whole report that's protected—what they say. I can't tell you more than that. All I can tell you is that the document is protected."

"What's the force of your saying it was not an investigation, that it was just a review?"

"Calling it an investigation makes it sound like something bad happened and then you had to investigate it and come to conclusions. It wasn't that. It was simply that something happened, there was a misunderstanding about what happened. Secretary Cheney said he'd like to know what happened, so we reviewed the case, came to some conclusions, presented them to Secretary Cheney, who said that he was happy with the result, and he felt that in no way had the Air Force tried to keep anything from him. Case closed."

"But we, the general public, can't know what the results were?"

"Well, I think the results were pretty much published—the fact was that when the planes were sent down there, they were given a mission, the mission was to stun and disorient the Panamanian troops. That happened. The commander who was leading the operation was happy with the results. To him the mission was accomplished, and at the time nobody really worried or cared where the bombs fell exactly because the mission was accomplished. I think that's the bottom line." Four months after the Department of Defense finally admitted that the Rio Hato mission was defective, the Air Force was still calling the bombing a full success.

When I got in touch with Col. Buttimer, he had a different explanation for why I couldn't see the report. He said it *was* like an accident report. He also explained that he was handling this even though he really should have referred me back to Capt. Strednansky, because he wanted to avoid the appearance of giving me the runaround. "But," he concluded, "I guess that's what we're really doing anyway."

When a reporter for *Air Force Times*, Steve Weber, made a Freedom of Information Act request to the Air Force to release the inspector general's report, he was turned down. The Air Force "justified" its denial on the grounds that the report "contains predecisional self-evaluations of the effectiveness of internal management procedures." What's more, "There are no factual portions of the report which can be released without, at the same time, disclosing the evaluative and deliberative process undertaken in conducting the inspection and compiling the report."

In other words: "No," they explained.

That this brick wall is still there even after the Rio Hato story broke is a reflection of the weak response Cheney made to being embarrassed by his subordinates. Although he may have chewed some people out, he didn't fire anybody and he didn't issue a new policy about forwarding stealth information up the chain. Is there any wonder that the A-12 embarrassment followed in short order? Cheney's trying to get the word out that he must be kept better informed about stealth programs "by anecdote rather than by policy," says a reporter with a defense trade journal. "But the way I look at it, 'Fool me once, shame on you, fool me twice, shame on *me*.'"

The brick wall is also a reminder that good government depends on a tenacious press. Left on their own, those in the defense world who want to get at the truth tend to get overmatched by the stealth offi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cers and contractors. That's why they can't be left on their own; they need the press. By going into the field and then tugging hard on the single thread of detail that his pictures captured there, Michael Gordon was eventually able to unravel a host of important problems that had remained hidden either by mistake or by design. Precisely the kinds of problems the secretary of defense, Congress, and the public need to be aware of in order to make wise decisions about such mammoth investments as stealth aircraft. With all due respect to Capt. Strednansky, the issue is not whether the mistakes at Rio Hato kept that mission from achieving its objective. It's whether they easily *could have* kept it from achieving it—if the Panamanians had been a little better trained, better organized, or better equipped; if they had been, say, . . . the Iraqis. There are two ways of learning that the risk of military failure is too great. POWs, widows, and orphans know all about one of them. The press is the other.

Let's grant that Dick Cheney and Pete Williams really were not being deceitful when they told the world that the Rio Hato mission was an unqualified success. Suppose they really were given bad information. (Here's an item that shows how easily that can happen with stealth: Fred Hoffman, until last January the number two spokesman for the Pentagon, was kept out of stealth clearances for much of his tenure.) If so, the episode makes it all the more clear how important it is for the defense secretary and his top aides to encourage truth-telling up and down the chain, and to do so by getting out of the office. But when you sit astride an organization as sprawling and complex as the Defense Department, you can't get out of the office enough, and even when you do you're going to miss things. (When Cheney visited Panama he saw the craters at Rio Hato only from his helicopter. Williams, who was with him at the time, didn't see them at all because he was sitting on the other side of the aircraft.) That's why those in the big jobs in government should welcome and encourage aggressive reporters—people like Michael Gordon who choose to flyspeck the problems the officials can only fly over.

Of course, that's why newspapers should encourage aggressive reporters, too. Although it's easier to stay with the canned briefings and in the good bars and restaurants, the truth is seldom found there. "You come into the Pentagon beat skeptical," says John Broder of the *Los Angeles Times*, "but it's easy to get co-opted and to start to go with the flow and to believe the generals and to forget that every one of their claims ought to be held up to empirical evidence. The F-117 in Panama was a useful reminder. It heightened my skepticism again." □

The Washington Monthly

JOURNALISM AWARD

FOR JULY 1990 IS PRESENTED TO

P. J. O'Rourke
Rolling Stone

Although farm-family income has exceeded that of the average family for more than 25 years, and although 60 percent of all price support money goes to farms with gross receipts over $500,000 a year, the federal farm subsidy program continues its staggering largess. The last farm bill cost $100 billion over five years, and don't bet on the current one to end up with a smaller price tag. In a wry piece that would be funnier if this weren't all true, O'Rourke leaves no doubt that the government's farm program is a monumental mistake. Here, for example, is the way he sums up the "conservation-reserve" program, in which the government makes annual payments to farmers who remove highly erodable land from production: "This is like going into a Dairy Queen and giving the owner money to keep his ice-cream freezers plugged in." O'Rourke concludes that "farm policy, while complex, can be explained. What it can't be is believed."

The Monthly Journalism Award is presented each month to the best newspaper, magazine, television, or radio story (or series of stories) on our political system. Nominations for any newspaper, magazine, or radio or television station in the country are welcome. The subject can be government in its federal, state, or municipal manifestation. Please send nominations to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, D.C. 20009. Two copies of the article or broadcast text should accompany the nomination.

Nominations for stories published or aired in September will close October 15. The winner will be announced in the December issue.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ENERGY WITHOUT EMIRS

Here are the reasons the government hasn't encouraged the development of America's natural gas: It's cleaner and cheaper than oil and we have a huge amount of it

by Robert Hefner III

For the third time, we've lost control of our economic destiny to a Middle East oil producer, and now we're risking American lives. So, it's time to get serious about America's best energy source: natural gas. Natural gas is even in oversupply today—as evidenced by the fact that it sells for less than the equivalent of ten dollars a barrel at the wellhead. If the U.S. simply returned to its natural gas consumption levels of the 1970s (before the federal government discouraged and even outlawed using the fuel) we would replace 2.5 million barrels of oil each day—about 25 percent of the oil we import.

Our domestic natural gas resources are vast. If we were to double our current consumption—using natural gas to meet 50 percent of American energy needs and thereby supplanting oil as our number-one fuel—American supplies alone would last at least 20 years. Moreover, buying additional natural gas from the enormous Mexican and Canadian reserves would allow us to secure ample energy supplies well into the next century. At the same time, we'd be cleaning up the atmosphere, since natural gas produces only two-thirds the carbon dioxide of gasoline and contains 1 percent the sulfur oxide and 10 percent the carbon monoxide of oil. In short, natural gas is better for national security, better for the environment, and cheaper for the consumer: all in all, not a bad deal for the country.

Robert Hefner III is chairman of the GHK Company, an Oklahoma City-based natural gas exploration and production company.

Natural gas isn't just for cooking anymore. Or just for heating or making electricity. In fact, it's poised to enter a new market: transportation. The technology for converting cars, trucks, and buses from gasoline to natural gas has been around for at least 50 years, as shown by the three-quarters of a million natural gas powered vehicles already on the world's roads. The stumbling block for conversion today is more convenience than cost: The natural gas industry offers few filling stations to compete with the ubiquitous gasoline ones. But there may be a way around this problem. After all, half of American homes are already connected to natural gas pipelines. Commuters, by using a small compressor, can tap into those lines at home and fill their tanks overnight. A flick of the switch on the open road, far from any natural gas pumps, and the car goes back to plain old gasoline.

Conversion is right on the verge of making economic sense. Today, it costs between $1,500 and $2,500 to turn a gasoline-burning car into a dual-fueled one. (The compressor is an additional $2,500, which your utility

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

may cover upfront.) What are the benefits? Well, compressed natural gas is a high-powered fuel, the equivalent of about 130 octane; because it's a gas, not a liquid, it contains no particulates, which means it extends engine life by about three times the current average; and it costs *only about 70 cents per gallon*. Conversion should pay for itself within five to eight years. Even before the current crisis, United Parcel Service announced it would convert its 2,000 fleet trucks in Los Angeles to compressed natural gas. Utilities and city governments around the country—in places as diverse as Brooklyn, New York and Cannon Beach, Oregon—have already converted fleet trucks and cars. Here in Oklahoma, we run over 50 school buses on natural gas.

Because my business for the past 30 years has been the exploration and production of natural gas—and because you're an American raised on the notion that energy has to be nasty, crudish, and in short supply—you're probably a little suspicious. "If natural gas is so great," you might be thinking, "why am I still driving a gasoline-burning car? Why isn't natural gas America's chief energy source?" The answer lies in the nation's hodgepodge of energy laws, suspicion of natural gas supplies left over from the "energy crisis" of the late seventies, failure to recognize the true costs of oil, and the natural gas industry itself.

Bad gas attitude

For decades, natural gas production was largely a byproduct of the oil industry, since natural gas reserves are found with oil. While domestic oil exploration was vigorous, the supply of natural gas was abundant, and an interstate pipeline industry developed to carry gas from the southwest to consumers nationwide. Since natural gas is delivered through pipes, local distribution companies, like electric companies, came to be regulated by the states. As a result, the natural gas industry fractured into three sectors: Natural gas was produced mainly by oil companies, transported by interstate pipelines, and sold by local distribution companies. The economic interests of the three sectors often clashed. In contrast, the oil industry is vertically integrated, with single companies controlling the entire process from production through marketing, and hence has a powerful political and economic voice.

The lack of national leadership in natural gas has held the industry back (although, for decades, it has met more than 20 percent of U.S. energy needs). For instance, the interstate pipelines and distribution companies for years battled the producers to prevent the removal of natural gas price controls that made it unprofitable to produce natural gas that was not associated with oil. Let me give you a real-life example of the damage done by those controls. Twenty years ago in Oklahoma, my company completed the then highest pressured natural gas well in the world, which was (not uncoincidentally) the second-deepest well ever drilled. The well's production of over 19 million cubic feet of natural gas per day meant it could match one-third the energy output of a nuclear plant, meeting all the natural gas needs, including industrial ones, of a town of 80,000.

But price controls administered by what later became the Federal Energy Regulatory Commission dictated that we sell our gas for the equivalent of 60 cents per barrel of oil, rendering the well hopelessly uneconomic. Can there be any wonder that natural gas producers simply stopped drilling? At the same time, the American oil fields were beginning to dry up after more than half a century of production. As the oil industry began to focus on foreign lands, the supply of natural gas associated with oil turned into a trickle.

This combination of events—the stifling of exploration and the decline of gas associated with oil fields—occurred at exactly the wrong time: during the crisis atmosphere induced by the OPEC shocks of the seventies. The doom and gloom of the Carter years led Americans to believe that energy inevitably had to be scarce and pricey. Despite evidence from people like me that vast resources remained, natural gas was forced to fit this pessimistic vision. Economic models forecasting the demise of the industry proliferated. The Department of Energy declared it "probable that reserves will be exhausted by the late 1980s." In 1977, James Schlesinger, then secretary of energy, responded to the notion that deregulation would leave America awash in natural gas with this comment: "I believe that's based on smoking pot." The Carter administration strove to keep despair alive by canning those at DOE and the U.S. Geological Survey who dared to be optimistic.

Not leaving wells enough alone

In 1978, Carter signed into law the most comprehensive energy legislation ever. It contained a little good and a lot of bad. The good was that it began to decontrol natural gas prices, which led to increased exploration, which in turn led to discoveries of vast reserves of natural gas—including 300 "super wells," like ours in Oklahoma, which could generate as much power as the entire nuclear industry did in 1988. But while drillers made strike after strike in the early eighties, the market for natural gas shriveled, thanks to the bad side of the Carter legislation, which discouraged the use of natural gas in existing plants

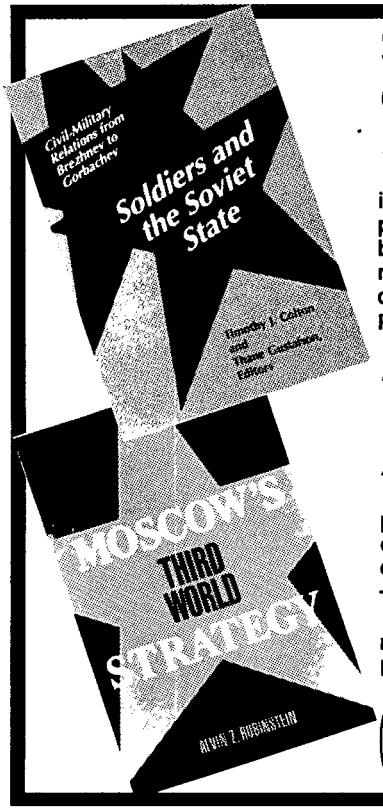
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and expressly outlawed it in new industrial and power plants. In other words, just when high oil prices, public awareness of the dangers of imported oil, and the discovery of new gas reserves most favored conversion to natural gas, Uncle Sam stepped in to make conversion a crime.

States, cities, and towns followed the federal lead, and soon natural gas was banned even from barbecues, outdoor lanterns, and fireplaces. As usual, it took Uncle Sam a few years to realize he'd arrested the wrong guy. Even after most of the federal bans were repealed in 1987, the perception of natural gas shortages lingers. Throughout the 1980s, the Carter legislation worked diligently to increase American pollution and reliance on OPEC. Demand for natural gas dropped from a record of 22.7 trillion cubic feet in 1972 to a low of 16.7 trillion cubic feet in 1986.

In the late eighties, oil prices stayed low enough that converting to natural gas, which requires a lot of capital upfront, didn't make economic sense for utilities and industrial plants that weren't already "dual-fueled" (that is, able to switch back and forth from oil to natural gas). Also, companies had witnessed how the federal government simply turned off the natural gas spigot only a few years before, which made them reluctant to commit to the fuel. (Americans have always distrusted natural gas, anyway: If I can't see it, smell it, or stain my clothes with it, how can I possibly run my car or my business on it?). A final weakness of the industry has been its distribution network. While you can slop oil into a truck or boat and deliver it anywhere, you can efficiently transport natural gas only through a pipeline. One million miles of pipeline crisscross the United States, but some regions of the country—in particular the Northeast and the West Coast—still can't get all the natural gas they need. Right now, almost anyone (usually competing fuel distributors with good lawyers) can delay building new pipelines by five years or more. First, they get a hearing to block construction. If that fails, they can call for a re-hearing. Failing again, they can take the case to court, beginning at the lowest level. And so on.

Congress needs to clear away the misguided regulations holding up pipeline construction, recognizing that the economic and environmental benefits of building a pipeline dramatically outweigh the costs; such red tape is now preventing natural gas from displacing another one million barrels of oil per day. Oil has become too large an economic burden, too large a strategic risk, and too large an environmental hazard. With an economically rational energy policy, we could take control of our economic future by making natural gas our principal energy source. □



Soldiers and the Soviet State

Civil–Military Relations from Brezhnev to Gorbachev

Edited by Timothy J. Colton and Thane Gustafson

How much power does the Soviet military exert on the politics of the Kremlin? This is the controversial question addressed by eight top Western specialists on Soviet politics and security policy. The authors assert that the civil-military relationship has been less turbulent than often believed, but they also point out that Gorbachev's reforms threaten the buffers that have shielded the military-industrial system from disruption and change.

Paper: $16.95 ISBN 0-691-02328-X Cloth: $55.00 ISBN 0-691-07863-7

New in paperback with a new epilogue by the author

Moscow's Third World Strategy

Alvin Z. Rubinstein

"[This is] a careful, well-crafted and well-documented interpretation of the place of the Third World in overall Soviet policy by the doyen of U.S. specialists on Soviet policy toward developing countries. *Moscow's Third World Strategy* is essential reading for anyone seriously interested in Soviet foreign policy."
—*Soviet Studies*

"Rubinstein's book is written with a sure touch and mastery of the material. . . ."—*Foreign Affairs*

Now in paper: $12.95 ISBN 0-691-02332-8

AT YOUR BOOKSTORE OR

Princeton University Press

41 WILLIAM ST. • PRINCETON, NJ 08540 • (609) 258-4900 • ORDERS: 800-PRS-ISBN (777-4726)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Inside Racism

Shelby Steele argues that for blacks, self-doubt is a bigger enemy than white hatred.

by Matthew Cooper

Two years ago Shelby Steele was an obscure english professor. Now he's everywhere. His essays on race have appeared in *The New Republic, The Atlantic,* and *Harper's.* He's done "Nightline." This spring he won *The New York Times* triple crown. He wrote a lengthy piece for the *Times* magazine, the *Times* ran a lengthy profile of him, and he was featured prominently in the Sunday "Week in Review"—all within a month.

There's an almost irresistible temptation to be skeptical about a thinker who becomes this hot this quickly. One need only recall the hype surrounding Jonathan Schell's *Fate of the Earth* or George Gilder's *Wealth and Poverty.* But the attention lavished on Steele is different, because it is deserved. He's done something in his essays, now assembled in this slender volume,* that seemed almost impossible: He's found new things to say about America's race problems. Instead of rehashing policy debates over topics such as welfare dependency, Steele scrutinizes the inner lives of blacks and whites. Emotions like anger and guilt interest him far more than AFDC or the *Bakke* decision. The typical political scientist or economist might dismiss his memoir-essays as mushy, but they aren't. Drawing his title from Martin Luther King's plea that blacks be judged by "the content of our character," Steele understands, as King did, that racial progress will come as much from hearts and minds as from laws or policies.

Steele has many ideas about what hinders racial progress, but at the core of his thinking is this provocative notion: Racism persists, but he and his fellow blacks are shackled more by self-doubt than by anything else. He writes that blacks, himself included, have on some level absorbed the hateful and wrong message instilled over 350 years that they are inferior. For Steele, the passage of civil rights laws inflamed rather than alleviated that doubt, "because freedom offered blacks a brutal proposition: If you're not inferior, prove it." Afraid of failure, afraid somewhere inside that the racists might be right, many blacks, says Steele, pass up real opportunity—be it graduating from college or opening a neighborhood store. "One of the worst aspects of oppression," he writes, "is that it never ends when the oppressor begins to repent."

Because he is critical of affirmative action, Steele has been lumped together with black conservatives, such as economists Thomas Sowell and Glenn Loury. That is a mistake. His politics are difficult to discern, but, like William Julius Wilson, he supports color-

Matthew Cooper is the Atlanta bureau chief of U.S. News & World Report *and a contributing editor of* The Washington Monthly.

**The Content of Our Character: A New Vision of Race in America.* Shelby Steele. *St. Martin's, $15.95.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

blind antipoverty programs. What really distinguishes him from these other black policy thinkers is that he's getting at issues that transcend policy altogether. (While Steele's politics are vastly different, *The Content of Our Character* is more reminiscent of Eldridge Cleaver's *Soul on Ice* than a monograph from the American Enterprise Institute.) Occasionally, Steele's lack of interest in the nitty-gritty of policy—which programs work and which don't—prevents his vision from encompassing even more of the problems that confound race relations today. But that's a quibble. For the most part he's said more about race—and in less space—than anyone in recent memory.

Onward and inward

Of course, the idea of looking inward to understand the world is hardly new, and it's an approach that has long been advocated by this magazine. In his autobiography, *Tilting at Windmills*, Charles Peters recounts how his struggles with his own snobbery at Columbia University in the 1950s led him to see how snobbery could be such a divisive force in American life. Two years ago, Paul Glastris looked at his own reaction to his limb-damaging injuries to show where the disability rights movement went wrong ["The Case for Denial," December 1988]. Other writers, as diverse as Betty Friedan and George Orwell, have looked to themselves for answers. Steele has brought this kind of reflection to bear on his own 44 years. Having grown up in a black working-class suburb of Chicago, he entered the white world, attending college in Iowa and graduate school in Utah. Today, he teaches at California's San Jose State. He thanks his wife, who is white and a clinical psychologist, for helping him sort through his past.

The results of his journey are essays with provocative titles like "Being Black and Feeling Blue" or "I'm Black, You're White, Who's Innocent?" In "The Memory of Enemies," Steele recounts how, traveling through a southern airport, he became possessed by the Dixie drawl of a white cashier. "If she was anything less than gracious to me as the lone black in line, I knew my defenses would come alive. . . . If she put my change on the counter rather than in my hand, I'd have all the evidence I needed to close the case against her and the New South to boot."

What caused this "exaggerated and wasteful defensiveness," writes Steele, was the memory of enemies. The cashier's southern accent carried with it echoes of the segregationist past. Steele persuasively argues that this expect-the-worst reaction runs deep in blacks, that it can be triggered by everything from caucasian-colored Band-Aids to white skin itself, and that it has dire consequences. On the level of politics, the memory of enemies leads to even staid civil rights leaders like the NAACP's Benjamin Hooks finding "racism" in the indictment of Marion Barry.

But Steele's tone is not condemning. "I'm my own first target," he told *The New York Times*. He knows that feelings like this won't fade easily—not even for him, a prosperous professor with a white wife. Even after the woman behind the counter hands him his change with the same pained, corporate cheerfulness she extends towards whites, he has to keep saying to himself: "It doesn't really matter what Southern accents in southern airports make me remember. What's important is that I can travel."

Essays like these, far from hardening the heart towards blacks or whites, evoke enormous empathy. We've all read ponderous op-ed pieces about black teenagers lacking self-esteem. Steele takes this buzzword and makes it real. In his own high school, "one of the worst sins a black student could be guilty of was not dancing well. Dancing was a manifestation of soul and cool and, as such, it was, among many other things, an advertisement for the race, a visible superiority. . . . Whites often stopped to look at us in amazement and we let our strength in this area soothe the anxiety that other areas of school brought us."

Steele writes with equal sympathy about his black graduate school friend whom he calls "Henry." Despite being bright and savvy, Henry had limited aspirations. "Man, I just want to hold on, get a job that doesn't work me too hard, and do a lot of fishing," he told Steele. "I'm not into it like the white boys." Henry went on to a life of mid-level administrative and teaching jobs, mainly in black studies programs. Henry wasn't uninterested in ambition, Steele recalls, he was afraid of it. Steele is kind enough to recognize that there is "a little of Henry in most people," but courageous enough to argue that "blacks as a group have hesitated on the brink of new opportunities that we made enormous sacrifices to win for ourselves."

Doubt is a demon: "The internal racist is not restricted by law, morality, or social decorum." The doubt takes many forms, not just in Henry's aversion to opportunity but in "hyperbolic" claims of black pride. Of the move to adopt the moniker "African-American," Steele writes: "This self-conscious reaching for pride through nomenclature suggests nothing so much as a despair over the possibility of gaining the less conspicuous pride that follows real advancement. In its invocation of the glories of a remote African past and its wistful suggestion of homeland, this name denies the doubt that black Americans have about their contemporary situation in America. . . . Possibly we are ready for a new name, but I think 'black' has been our most powerful name

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

yet because it so frankly called out our shame and doubt and helped others to accept ourselves."

But Steele doesn't let whites off the hook. "Only two days ago, I was called 'nigger' from a passing car," he said recently. Far more invidious than epithets, he feels, is the liberal condescension towards blacks. Affirmative action programs that lower standards help soothe white guilt, he contends, but they actually hurt blacks. Among numerous examples, he cites an outrageous program at Penn State where black students were paid cash rewards for a C average: "What better way to drive home the nail of inferiority?"

Of course, Steele is not the first black to question the merits of affirmative action, but few writers have addressed the subject with such clarity. He speculates about his children and what will face them when they apply to college. "They have never experienced racial discrimination, have never been stopped by their race on any path they have chosen to follow. Still, their society now tells them that if they will only designate themselves as black on their college applications, they will likely do better in the college lottery than if they conceal this fact. This is a Faustian bargain." The badge of being an affirmative action recruit will haunt them. "The quality that earns us preferential treatment is an implied inferiority. However this inferiority is explained—and it is easily enough explained by the myriad of deprivations that grew out of our oppression—it is still inferiority."

Star search

So what's the alternative to affirmative action? "Give my children fairness, give disadvantaged children a better shot at development—better elementary and secondary schools, job training, safer neighborhoods, better financial assistance, and so on."

Steele and liberals like William Julius Wilson and Nicholas Lemann are right to insist that we're better off avoiding the tangle of racial preferences and, instead, helping blacks and whites on the basis of individual need. But like a lot of people, I'm a tower of Jell-O on this issue, and I have trouble with Steele's blanket condemnation of affirmative action. When I worked for the U.S. Civil Rights Commission and saw firsthand the absurd creation of special voting districts that isolated blacks into rotten boroughs and cheered conservative Republicans in the surrounding lily-white districts, I was sympathetic to the "color-blind" position. Since then my views have changed. In part, it's simple resignation. The affirmative action bureaucracy in both the public and private sectors is here to stay, despite the pleas of a Shelby Steele or even the much-feared Supreme Court rulings, which, in the end, merely raised the evidentiary standards required to implement race-conscious plans, barely curtailing their proliferation.

More important, advocates of the "color-blind" vision run up against what might be called the TV anchor question. In virtually every large city, television stations have made it a point to put both black and white anchors at the head of their local newscasts. Is such race consciousness improper? I don't think so. Unlike black college entrants, who as a group drop out at a rate five times that of whites, black anchors are ready for the work. Their performance in cities such as Atlanta, New York, and Washington D.C. seems indistinguishable from that of their white colleagues, and it neither demoralizes other blacks nor confirms the racist stereotypes of whites. Instead, thanks to the pressure not just to make "minority hires" but to make hires that can shine during crucial ratings periods, their race is a win-win proposition. It benefits the station, which needs to grab black-audience share. Their presence, as Steele says of "The Cosby Show," "like a priest, absolves [their] white viewers, forgives and forgets the sins of the past." This is a good deal for all concerned. Again, I think Steele is basically right about affirmative action, which, all too often, abandons the hard work of developing people's talents and instead simply relies on a quick racial fix. Indeed, the success of blacks as measured by the tough standards of the military, arguably the closest thing America has to a color-blind arena, suggests that without any breaks blacks can make the grade in any forum at any time. But what Shelby Steele and the rest of us need to do is to sort out those rare, sensible forms of racial preference from all-too-common monstrosities like Penn State's cash-for-C's program.

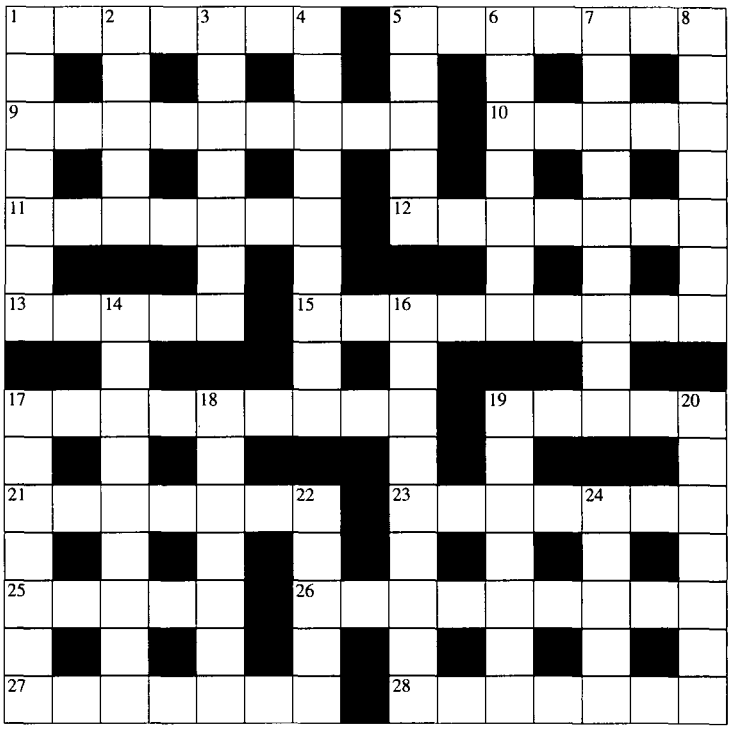
Steele's book is a triumph, but I hope in his next go-round he trains his discerning eye on other hindrances to racial progress. Surely the collapse of the manufacturing economy is as significant as the collapse of self-esteem. Indeed, Steele is just the person to get at one of the least explored areas of black life: the fact that so many blacks work for government. Because government promoted something resembling equal opportunity at a time when private employers and unions discriminated with abandon, blacks naturally found greater employment opportunities in the public sector. Today, that leaves blacks disproportionately vulnerable to government layoffs and, perhaps, to a less-than-entrepreneurial ethic that befalls so many civil servants, black or white. Steele could work his magic on a topic like this. Recently, Steele produced a solid documentary on the Bensonhurst murder for Public Broadcasting. Clearly, the man can report from the streets as well as the heart. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

POLITICAL PUZZLE

by John Barclay

The numbers indicate the number of letters and words, e.g. (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g. USA, are treated as one word.



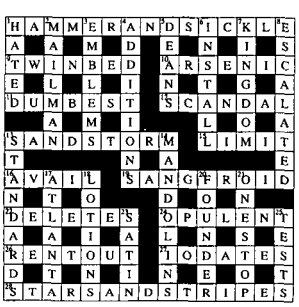
ACROSS

1. Perhaps she is U.N. troublemaker. (7)
5. Victims of 1 Across back Britain and stand by for one. (7)
9. Time must change around end of month when leaders meet. (3,6)
10. Underworld figure was the wrong way. (5)
11. Overly concerned with favorite row. (7)
12. Sharply rebukes street and alley development. (5,2)
13. Preference for state constitution. (5)
15. Turn vessel before 500 feathers in two directions. (2,3,4)
17. Neat cross carved for some deceased. (9)
19. Bears performing to lower standard. (5)
21. Carelessly lent car key. (7)
23. Puts away our polls carefully with nothing missing. (5,2)
25. Appreciate last of money distributed around first of June. (5)
26. Put on the air angry about pants. (9)
27. Restriction controlled mob rage. (7)
28. Mid-East figure composed an air about a degree. (7)

DOWN

1. Saint photo created point of contention. (3,4)
2. Pens made ahead of time are all gone. (5)
3. Intellectual rite due reconsideration. (7)
4. More noun spelling before October 1 for leader. (6,3)
5. Cat with some means on hand? (5)
6. Confused Western leader moved awkwardly. (7)
7. Counterfeit visas on in takeovers. (9)
8. Waving tail around hotel for classic presentation. (2,5)
14. Instant sufferer is source of additional income. (6,3)
16. One winding trail in this country leads to another. (9)
17. Grow from current over island. (7)
18. He distributes prayers with conclusion in front. (7)
19. Country specialist returning to get sick about 6:00 on the way up. (7)
20. Involuntarily associated showing no pride. (5,2)
22. Game for Holy Roman Emperor under 50. (5)
24. Popular foreign dish in Croesus' highest recommendation. (5)

Answers to last month's puzzle:



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

POLITICAL BOOKNOTES

Public affairs books scheduled to be published this month.

Sustaining the Earth. John Young. *Harvard University Press, $19.95.* 1988 was the year of the greenhouse. Dire prophecies of environmental degradation suddenly seemed true. The media showcased ecology experts in stories on toxic garbage barges, beached medical waste, droughts, and wild weather. According to John Young, satellite-linked conferences on the greenhouse effect engendered not "technological optimism but despair."

"Instead of discussing techniques for mitigating the effects of sea-level rises on coastal real estate values, workshops found themselves discussing suicide rates among teenagers and strategies for social empowerment," Young reports. Why should a "scientific" get-together become a bull session for revolutionaries? Why do terms like "postcolonial," "postindustrial," and "postcapitalist" inevitably crop up? More than ever, Young tells us, "environmental activists found themselves likened to tomatoes—'they start out green and turn red.' "

The "post-" prefix has become the ultimate postmodern tool for debunking predecessors and launching new agendas. And Young employs it himself in this "postenvironmentalist" treatise. Sure, the environmental movement was right to forecast the industrial plague on nature. We are in fact speeding down highways towards irreversible depletion of resources. But does that require us to renounce all technology and industry? Young expands on economist F. E. Schumacher in asking, "Small is beautiful, but can we afford it?"

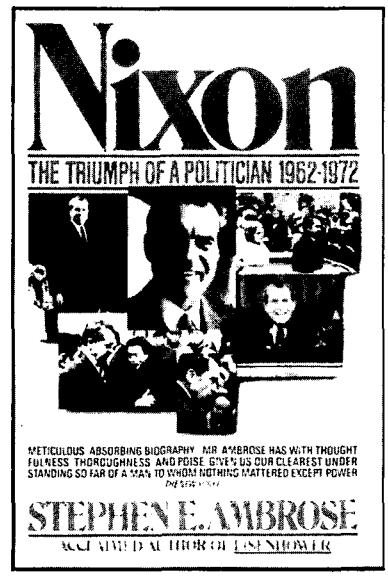
He looks to technology itself for answers. Can't crops be developed to prevent the erosion of topsoil and to require less irrigation? Can't rail systems be made more accessible and less costly so they can replace deadlocked expressways? Can't our system of accounting focus on Net Human Benefit instead of Gross National Product? "Economies which look healthy in terms of GNP might look much less flourishing in terms of NHB if the violence, anomie, boredom, and diseases of affluence were set down on the debit side of the ledger."

It's not growth that Young rails against so much as the misapplication of it. Sustainable growth can perhaps be achieved more quickly with help from the legion of scientific brains now devoted to defense—50 percent of the world's research scientists, according to Young. Even the Gaia hypothesis came from a NASA study, one that found Mars and Venus to be "dead" planets and proclaimed life on Earth a marvelous and tenuous fluke.

Young pushes economic growth as the remedy for overpopulation, but encourages a fairer distribution of wealth. Family planning slogans backfire in the Third World: "When an extra child means an extra hand to chase pigs away from the vegetables, or to catch small fish for bait, that child will not be seen as a liability." That is a much saner, though still radical, view than that espoused by Earth First. Former Earth Firster Dave Foreman is quoted as explaining (monstrously), "The worst thing we could do in Ethiopia is to give aid—the best thing would be to just let nature seek its own balance, to let the people there just starve."

The only germ of truth in Foreman's statement is that man has failed to use his rational powers to sustain nature and thus himself. In fact, as Young

"Meticulous, absorbing biography...
Mr. Ambrose has with thoughtfulness, thoroughness, and poise, given us our clearest understanding so far of a man to whom nothing mattered except power."—*The New Yorker*



"The most accurate and compelling volume on Richard Nixon's tempestuous decade of defeat, resurrection and disaster...
If there is a better historian than Stephen Ambrose at work on the events of our time, that person has not been discovered."
—Hugh Sidey

A TOUCHSTONE BOOK
SIMON & SCHUSTER
A PARAMOUNT COMMUNICATIONS COMPANY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Eyewitness to Apartheid

The Cape of Storms

A Personal History of the Crisis in South Africa

by Anthony Hazlitt Heard

"[*The Cape of Storms*] is a marvellous book, detailing records of events in South Africa. . . . This should serve as an inspiration to all."
—Oliver Tambo, president, African National Congress

". . . a lucid and moving testimony to character in the midst of turbulence and threat. . . ."
—Donald Woods, South African journalist, author of *Biko*

"An impressive account of a principled journalist, determined to practice his craft in a repressive society. Tony Heard is a brave man."
—Sir Richard Attenborough

"When the true history of South Africa is written Tony Heard will be depicted rightly as a leading light for liberation, truth and justice."
—Archbishop Desmond M. Tutu

$21.95 cloth, $11.95 paper

ARKANSAS

The University of Arkansas Press
Fayetteville, AR 72701
1-800-525-1823

explains, "so long as we continue to change the global environment against her preferences, we encourage our replacement with a more 'environmentally seemly' species."

The people in wealthy nations have heard so many environmental alarm bells that they're nearly deaf to them by now. Bill McKibben recently quoted Wendell Berry's description of environmentalism as still "vacation-oriented or crisis-oriented" at its core. One way for environmental groups to employ their mailing lists, greatly lengthened by the Earth Day ballyhoo, is to call for rationing in the midst of the Persian Gulf crisis. Young points out that "The Second World War did a lot more to equalize British society, as it turns out, than the period of Labour government that followed it." Every class sacrificed a little and public health was never better.

"Stewardship" seems the best unifier in Young's scenario for the future of green politics. With its spiritual base common to nearly all religions, it could be the rallying cry of the decade, whether history labels it "post-environmentalist" or, quite possibly, "antebellum."

—Ned Martel

Beyond 911: A New Era for Policing. Malcolm K. Sparrow, Mark H. Moore, David M. Kennedy. *Basic Books, $22.95.* American police chiefs as social reformers? You've got to be kidding.

Not at all. Three serious, well-informed scholars at Harvard's Kennedy School of Government have set forth in lucid and lively prose a compelling account of the transformation that is now occurring in the thinking and practice of key police administrators around the country, a transformation in how the police define their relationship to the communities they serve.

That new relationship has many names—"community-oriented policing," "problem-oriented policing," "the broken-windows strategy." Under these labels a variety of tactics, some new and some retrieved from the dustbin of history, are being employed by the police to help neighborhoods identify and address not only crime but disorder, decay, and the mismanagement of public services. The tactics include familiar ones, such as foot patrols and neighborhood police stations, and unfamiliar ones, such as cleaning up littered lots, tearing down

GIVE LAW A CHANCE*

Photo by Steve Liss/Gamma Liaison

As if foreseeing events in the Middle East, Senator Patrick Moynihan calls the presidency back from adventurism, back to our historic and honored belief that international relations must be governed by a regime of public international law.

"An impassioned and well-reasoned plea . . . Moynihan supports his many controversial theses with solid analysis and impeccable scholarship. Sure to raise hackles—and hopes—in D.C. and beyond." —*Kirkus Reviews*

"An elegant and persuasive history-cum-argument [and] a *cri de tête* of a man who often sees things more accurately than others." —Roger Rosenblatt, *New York Times Book Review**

ON THE LAW OF NATIONS
Daniel Patrick Moynihan
Available at your bookstore $22.50 cloth

Harvard University Press Cambridge, MA 02138

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

abandoned houses, painting over graffiti, blockading roads used by drive-by drug dealers, conducting drug-education programs in the schools, and reorganizing the management of crime-infested public housing projects.

The particular tactics are less important than the organizational culture that some chiefs have tried to instill in their forces. That culture can be best understood by contrasting it with the model of professional law enforcement that has set the standard for police reform for much of the past half century. A "professional" police force values integrity and efficiency above all else. Integrity is to be maintained by tight central controls on personnel (otherwise they will be co-opted by local political machines); efficiency is to be achieved by maximizing the speed with which officers respond to calls, the skill with which they investigate crimes, and the frequency with which they patrol a given street. The efficiency goal requires that patrol officers be taken off foot beats and put into radio cars, that specialized detective units be set up to investigate crimes, and that a clear paper trail be established to account for how well officers use their time.

There is a lot to be said for this model because it did in fact curtail corruption, open up police work to talented and nonpartisan professionals, and bring to police agencies useful new technologies. But, as with all reforms, a price had to be paid. As Sparrow, Moore, and Kennedy see it, that price was high: The standard tactics of the professional model were not very effective in reducing crime. Experiments by the Police Foundation showed that random preventive patrol did not deter crime. Research in Kansas City showed that reducing police response time did not lead to more arrests. A controversial study by the RAND Corporation suggested that detectives did not solve many crimes.

Moreover, the pursuit of the efficiency goal led police, in the eyes of these authors, to cut themselves off from the community, to insist that they were concerned solely with crime (and not with the seemingly minor social disorder problems of which citizens complained), to call patrol work "the pits," and to perceive

PRAEGER PUBLISHERS ★ GREENWOOD PRESS

★ A Selection of Our New Titles ★

Listening for a President
A Citizen's Campaign Methodology
By Ruth M. Gonchar Brennan and Dan F. Hahn
The authors propose both a new method of evaluating candidates for presidential office, arguing that, given the biases inherent in the print and broadcast media, the only way to obtain accurate information about presidential candidates is to analyze information from the candidates themselves. They show how careful listening and rigorous analysis can enable the reader to extract reliable clues to presidential competence.
Praeger. 0-275-93245-1. $42.95.

Cautious Revolution
The European Community Arrives
By Clifford Hackett
"An invaluable book for Americans. It not only describes the institutions of the European community and how they evolved, but suggests measures through which Europe may ultimately develop its common institutions to the point where Europeans can react in unity to the world's increasingly complex political problems." George W. Ball
former Undersecretary of State
Greenwood. 0-313-27416-9. $42.95.
Paperback: 0-275-93605-88. $15.95.

The Persian Gulf War
Lessons for Strategy, Law, and Diplomacy
Edited by Christopher C. Joyner
This collection of essays surveys the state of the Persian Gulf in the wake of the Iran-Iraq War. It places the political, security, and diplomatic dimensions of the war into perspective, serving as a guide for reassessing those factors that affected the conflict's outcome and that will continue to influence developments in the region.
Greenwood. 0-313-26710-3. $45.00.

Spy Saga
Lee Harvey Oswald and U.S. Intelligence
By Philip H. Melanson
Melanson concludes that there *was* a conspiracy in JFK's assassination, although he does not seek to establish Oswald's innocence or the existence of a second gun. Instead he demonstrates that Oswald's movements were still being choreographed by his handlers in U.S. intelligence—however on the fringe or renegade they might have been—at the time of the assassination.
Praeger. 0-275-93571-X. $21.95.

The Future of the Arts
Public Policy and Arts Research
Edited by David B. Pankratz and Valerie B. Morris
This volume concludes that the future of the arts in America will be shaped by a wide array of forces. The challenge is to avoid passive reactiveness to those trends and to strategically develop policy options that are within the decision-making control of leadership sectors in the complex arts policy world.
Praeger. 0-275-93377-6. $45.00.

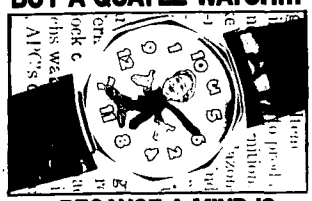
The Decline of Thrift in America
Our Cultural Shift from Saving to Spending
By David M. Tucker
This unique history studies the concept of thrift as a driving cultural and economic force in America. In the past few decades, however, a new ideal of spending and consumption undercut the old morality, until it has become an outmoded concept. The direct result of this has been a declining savings rate and enormous budget deficits, Tucker argues, and has placed America on a road of economic decline.
Praeger. 0-275-93685-6. $39.95.

Contact us for more information on these and our many other new titles!

Praeger Publishers and Greenwood Press
Imprints of Greenwood Publishing Group, Inc.
88 Post Road West, Box 5007, Westport, CT 06881 (203) 226-3571

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BUY A QUAYLE WATCH...



...BECAUSE A MIND IS A TERRIBLE THING TO LOSE!

High Quality Gold Tone Watch with Color Face, Leather Band & 3 Year Warranty!
Only $29.90 + $2.90 S&H. 2 for $55.00 + $4.90 S&H. *Great Gift Item!*
Call Radar World 24 Hrs. Everyday
1-800-237-2897
VISA M/C AMEX DISC. *IL Tax 7%*
Money Back Guarantee!

New for 1990
GORBY + BUSH watches

$39.90 Each
+ $2.90 S+H
Both for $74.90
+ $4.90 S+H

FREE

QUAYLE QUARTERLY W/PURCHASE!

the citizenry as at best uncomprehending and at worst hostile.

The authors of *Beyond 911* sketch the work of seven chiefs who have moved beyond the traditional model and embraced, in whole or in part, the community-oriented model. To varying degrees, they have introduced new or revised tactics—foot patrols, neighborhood police stations, a concern about disorder and the fear of crime, interviewing citizens door-to-door to identify concerns, and working with other city agencies to find solutions to such problems as drug-dealing in an abandoned house or gang warfare in a housing project.

At the end of a book that combines insightful analysis with missionary zeal, the authors (one of whom, Sparrow, is an ex-cop from England) list a variety of steps police departments can take that will lead to the adoption of an organizational culture that emphasizes, in the authors' words, "openness," "accountability," "innovation," and "partnerships."

Like most missionaries, the authors do not pause to examine the problems and limitations of their strategy. Like all good converts, we are asked first to believe and only then question. I confess to being a partial convert; in fact, I have been deeply involved (as a sponsor or as an observer) in some of the changes described in this book. I believe—up to a point. At that point I have some questions that, to my great regret, are not seriously addressed in this book. They are:

➤In what kinds of communities will community-oriented policing work? In what kinds will it not? What do we mean by "community," anyway? It appears to work in the Wilshire area of Los Angeles and the Link Valley area of Houston. Will it work in the South Bronx? In Anacostia? In Liberty City?

➤What kinds of problems are susceptible to the empathetic, partnership-oriented style of policing? Clearly graffiti and low-level drug dealing can be managed this way. What about organized gang warfare conducted with AK-47s?

➤Are traditional police methods—arrest and prosecution—really as ineffectual as the authors claim? Is the criminal justice system truly "bankrupt"? The authors produce no hard analysis to support this serious charge; in view of the large amount of research that indicates otherwise, this omission is a bit surprising.

➤What would the authors do about the homeless? This may be the critical test for their model of policing. Neighborhoods are fed up with vagrancy, panhandling, and sleeping in public places. But civil libertarians argue that a police response is the wrong response. On what side are Sparrow, Moore, and Kennedy? The traditional police model, which they deride, would roust or arrest street people. That is now hard to do, for many well-understood reasons. But what does the new model suggest?

I hope their next book systematically looks back at a decade or two of community-oriented policing and provides a sober assessment of its strengths and limitations. But for now, I am enough of a convert to say that this is *the* book I would give to any newly installed police chief.

—*James Q. Wilson*

When it's vital to talk it's vital to know the language

The Political Language of Islam BERNARD LEWIS

In this crucially important book, one of today's foremost authorities on the Middle East explains how Islam's political language, having its roots in Islamic scripture and classics, may use metaphors and symbols that do not coincide with those of the Western world. Exploring a wide range of literary and documentary sources, he constructs the Muslim frame of reference and allusion that is the key to communication with the Middle East.

"It raises issues of major significance for our understanding of the modern world...a rewarding book and one that supplies some sorely needed perspective."
–John Gross, *New York Times* $19.95 cloth

The University of Chicago Press
At bookstores, or call: 1-800-621-2736. In Illinois: 312-568-1550

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Politics, Practice & Theory

BEYOND SELF-INTEREST
Edited by
Jane J. Mansbridge

Economists who go beyond "economic man," psychologists who go beyond stimulus response, evolutionary biologists who go beyond the "selfish gene," and political scientists who go beyond the quest for power – these are the contributors to this impressive book. Rejecting the view that human affairs are shaped predominantly by self-interest, they argue that individual behavior and social organization are also influenced by motivations of duty, love, and malevolence. Their conclusions have particular importance in considering how public spirit affects citizen and legislative behavior. "This is the unusual collection that is of greater value than the sum of its pieces." – Russell Hardin, author of *Morality within the Limits of Reason* $14.95 paper

PRAGMATIC LIBERALISM
Charles W. Anderson

Classical liberalism can become inflexible in its abstract notions and conceptions of right. Pragmatism, on the other hand, can devolve into mere expediency. Anderson tempers the excesses of both and suggests a political framework in which liberalism provides the normative structure at present lacking in pragmatism. Arguing that we must dissolve the separation of public and private realms, he proposes that the public interest extends to all organized human enterprises. This broader vision of the domain of political reason gives new meaning to the idea of citizenship. "Anderson has written a thoughtful and wonderfully readable treatise on the dilemmas of modern liberalism with some inventive ideas for rescuing the liberal philosophy from its current political isolation." – Robert Kuttner, co-editor of *The American Prospect* $29.95 cloth

• *American Politics & Political Economy Series* •

THE PRESIDENT IN THE LEGISLATIVE ARENA
Jon R. Bond and Richard Fleisher

Success in maneuvering legislation through Congress has become the measure of presidential power. In an unprecedented analysis of congressional roll-call votes from 1953 thorugh 1984 the authors argue, however, that the decisive factor has usually been the ideological makeup of Congress rather than presidential bargaining ability or popularity. "Must reading ... an exemplary scholarly effort." – Morris P. Fiorina, Harvard University $16.95 paper

ACTORS, ATHLETES, AND ASTRONAUTS
Political Amateurs in the United States Congress
David T. Canon

Since 1930, roughly one quarter of the members of the House of Representatives have been political amateurs. This is the first detailed study of their impact on our political system. "This is a rigorous and fascinating study of who runs for major public office in an era of political celebrity, mass media politics, and candidate-run campaigns. As such, it is no less than a study in leadership recruitment for the American democracy now that the political parties no longer decide who will and who will not run for office." – Frank J. Sorauf, University of Minnesota $14.95 paper

The University of Chicago Press At bookstores, or call: 1-800-621-2736. In Illinois: 312-568-1550

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FOR THE FIRST TIME IN OUR MEDICAL HISTORY, THE RECIPIENT IN LIVER TRANSPL WAS ABLE T HUG THE DO

Prior to last Novemb a successful liver transr always tempered by donor was not alive

That all changed 27, 1989 when doc an historic living-d giving 21-month-old a portion of her mo

It was a revoluti made possible by a revolutionary chem developed by Du Po product he organs lon have the p perform t surgery.

As a res a lifesaving portion of liver. And her mother something equally val

At Du Pont, our ded quality makes the things that a difference.

DU PONT

BETTER THINGS FOR BETTER L

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED